



CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: JANUARY 7, 2004

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - RABBI RICHARD SCHACHET, VALLEY OUTREACH SYNAGOGUE
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, BROWN, L.B. McDONALD, WEEKLY, MACK, and MONCRIEF

Also Present: CITY MANAGER DOUGLAS SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

City Hall Plaza, Special Outside Posting Bulletin Board

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Parkway

(9:07 – 9:08)

1-1

COUNCILMAN GARY REESE gave the invocation.

(9:08 – 9:09)

1-24

MAYOR GOODMAN led the audience in the Pledge.

(9:09)

1-54

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE CITIZEN OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at the meeting: schedule of events for 2004 concerts

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN BROWN honored MATTHEW ANCIRA for his involvement in providing youth events while fundraising for charity. COUNCILMAN BROWN indicated that the City often becomes involved in community events with various local organizations and non-profits and has committed a lot towards local youth. The City proactively engages in youth activities, but it is always special when someone takes a leadership role.

MR. ANCIRA has owned Smoothie King since 2000. He approached the City about the possibility of doing something for local youth. He came up with an idea to put on concerts and provide youth with an opportunity for enjoyment that was lacking in the community. He started these concerts inside Smoothie King and they have grown significantly.

Not only does MR. ANCIRA provide a safe outlet for the youth, because he goes above and beyond to provide security for the 200 plus concert attendees, but also donates all the proceeds to The Shade Tree. The Las Vegas Metropolitan Police Department and The Shade Tree Executive Director have continuously reported favorably on these events. MR. ANCIRA has done so much for this community, yet he remains humble. COUNCILMAN BROWN displayed a schedule of events for 2004 concerts.

MR. ANCIRA came forward and thanked the Council for its recognition of his efforts towards this community. MAYOR GOODMAN commended him for the great work he has done.

(9:09 – 9:15)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF WARD 1 HOLIDAY GIVEAWAY PARTICIPANTS

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at the meeting: copies of certificates of recognition presented to Las Vegas Review Journal, Stupak Community Center, and Toys for Tots, copies of proclamations declaring 1/7/2004 as Philippine Chamber of Commerce Day and Stratosphere Hotel & Casino Employee Day, and videotape was shown of the Ward 1 Holiday Giveaway but not submitted for the minutes

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN announced that during this past holiday season many generous individuals came forward to help make the holidays bright for local youth. Nowhere was that more apparent than at the Stupak Community Center in Ward 1. Before COUNCILWOMAN MONCRIEF recognized City staff and the community partners who participated, videotape was shown of the Ward 1 Holiday Giveaway.

COUNCILWOMAN MONCRIEF stated that five different groups contributed and made this event happen. The following members of the following organizations came forward as she called them and thanked them for their generous contributions: AUTUMN DAVIS – Stupak Community Center, BILLY RAY HARRIS, Senior Vice President of Operations, and PHYLLIS Lamorta, Executive Assistant, - Stratosphere Hotel and Casino, TONIE SISON and CHITO LOPEZ - Philippine Chamber of Commerce and Agila Lions Club, ALICIA DAVIDSON – Toys for Tots, and ALBERT BELL – Newspapers in Education (a division of the Review Journal).

(9:15 – 9:19)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF KARLA AND DUANE ALEXANDER, OWNERS OF BOARDEEP, FOR THEIR COMMITMENT TO THE COMMUNITY

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at the meeting: copy of certificate of recognition presented to Karla and Duane Alexander of Boardeep

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN MACK called forward JOE WICHERT, Leisure Services Sports Division, to assist him with recognizing KARLA and DUANE ALEXANDER, owners of Boardeep, for the time they donate, for sponsoring many of the activities, and for donating materials when necessary. They have established a great relationship with the City. COUNCILMAN MACK commended them for their involvement in the community. MR. ALEXANDER expressed his appreciation for this recognition. MR. WICHERT thanked MR. and MRS. ALEXANDER for their time and effort. They are very friendly and helpful to the community. So many recreational programs could not be possible without people such as MR. and MRS. ALEXANDER.

(9:19 – 9:22)

1-380

Also, COUNCILWOMAN McDONALD thanked TAWANDA SCOTT, cameraperson with Channel 3 KVBC-TV, for her professionalism and wished her good luck on her new job with CNN in New York City. MS. SCOTT has covered every member of the Council.

(9:22 – 9:24)

1-478

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and STRIKE Item 54 – UNANIMOUS with L.B. McDONALD abstaining because she is a Trustee of Catholic Charities of Southern Nevada, which is a beneficiary of this matter

NOTE: Under Item 2, COUNCILMAN MACK disclosed that he would be voting on Item 54 even though the site is located across the street from a SuperPawn shop, for which he does consulting. He does not believe that would have any affect on his vote.

MINUTES:

JIM DiFIORE, Manager, Business Services, requested that Item 6 be stricken from the agenda, as the applicant is applying for a State Gaming License and staff would like to bring back the matter before the Council to consider the gaming and liquor uses at the same time. (Note: see Item 2 for action on Item 6.)

There was no further discussion.

(9:24 – 9:25/9:25 –9:28)

1-541/1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

☐

No Impact

Amount: \$73,144,060.36

☒

Budget Funds Available

Dept./Division: Accounting Operations

☐

Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 12/01/03 - 12/31/03

Total Services and Materials Checks	\$	12,684,962.73
Total Payroll Checks	\$	7,322,957.90
Total Wire Transfers	\$	53,136,139.73

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS (Note: Immediately after adjourning the Redevelopment Agency meeting, MAYOR GOODMAN indicated his abstention on Item 32 to avoid any possible conflict because he has not been fully paid for the sale of property within the vicinity.)

NOTE: Regarding Items 5, 6, and 7, COUNCILWOMAN McDONALD disclosed that she would be voting on these items, even though she is the outside director for Station Casinos, which holds privileged licenses for alcohol, as do the applicants for Items 5, 6, and 7. She has not discussed these items with Station Casinos, nor will her affiliation impact her judgment. She has reviewed these disclosures with the City Attorney, who opined that these items will have no material impact on Station Casinos.

NOTE: COUNCILMAN MACK disclosed that the site involved in item 54 is located across the street from a SuperPawn shop, for which he does consulting. He does not believe that would have any affect on his vote. Moreover, Item No. 11 involves a business located near a SuperPawn owned by his brother, STEVEN MACK, for whom he does consulting. The area

CITY COUNCIL MEETING OF JANUARY 7, 2004

Consent – Finance and Business Services

Item 2 – Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

MOTION – Continued:

covered under Item 14 involves a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, and the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Since all properties within this area will be affected equally, he did not feel that either of his relatives would be impacted. Item 33 relates to a shopping center, which contains another SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting. Because neither of his relatives mentioned any of these items to him, he did not believe their businesses would be impacted; therefore, he would be participating in all the aforementioned items.

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

Under Item 1, JIM DiFIORE, Manager, Business Services, requested that Item 6 be stricken.

MAYOR GOODMAN and COUNCILMAN REESE thanked RICK OVERKIRK, President, DON WEBER, Vice President, and BILL RUSSELL, former shortstop with the Dodgers, for the project under Item 23. Everyone is excited about the project. It will revolutionize the way seniors and young adults will play sports. COUNCILMAN REESE added that his son patterned his baseball techniques after MR. RUSSELL.

There was no related discussion.

(9:24 – 9:25/9:25 – 9:28/9:28 – 9:29/12:47)

1-541/1-588/1-672/3-1424

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a report by the City Treasurer of the December 9, 2003 sale of properties subject to the lien of a delinquent assessment in District 505 and in certain other districts - Ward 6 (Mack) and other districts in various wards

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

NRS 271.565 states that within 15 days after the completion of the sale of all property described in the assessment roll upon which a delinquent assessment or installment is unpaid, the municipal treasurer shall prepare a statement of his actions concerning the sale showing all the property sold by him, to whom sold and the sums paid for each tract. Such report shall be presented to the governing body at its regular meeting next following the preparation of the statement.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Report of Sale Memorandum from Michael K. Olson, City Treasurer, dated December 10, 2003

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an increase in the City's required letter of credit (from \$10,185,000 to \$10,507,107) for workers compensation claims in the estimated amount of \$51,484.82 - Workers Compensation Internal Service Fund

Fiscal Impact

☐

No Impact

Amount: \$51,484.82

☒

Budget Funds Available

Dept./Division: Human Res./Insurance Services

☐

Augmentation Required

Funding Source: Workers Compensation ISF

PURPOSE/BACKGROUND:

NRS 616B.300(2) requires that "a self-insured employer must, in addition to establishing financial ability to pay workers compensation claims, deposit with the commissioner a bond executed by the employer as principal, payable to the State of Nevada," and NRS 616B.300(4) requires that this "deposit may be increased or decreased by the commissioner." The City received a letter from the Office of the Commissioner of Insurance requiring such increase.

RECOMMENDATION:

It is recommended that the Council authorize this increase in the workers compensation letter of credit.

BACKUP DOCUMENTATION:

Application for Amendment to Letter of Credit dated December 16, 2003

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Package License and a Wine/Beer/Cordial and Liqueur Tasting License subject to the provisions of the planning and fire codes and Health Dept. regulations, Bleu Gourmet, LLC, dba Bleu Gourmet, 8751 West Charleston Boulevard, Samuel R. Bailey, Mgr, Mmbr, 35%, Robert L. Bowell, Mgr, Mmbr, 35%, Sandeep Ahuja, Mmbr, 30% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Package License and a Wine/Beer/Cordial and Liqueur Tasting License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

NOTE: Regarding Items 5, 6, and 7, COUNCILWOMAN McDONALD disclosed that she would be voting on these items, even though she is the outside director for Station Casinos, which holds privileged licenses for alcohol, as do the applicants for Items 5, 6, and 7. She has not discussed these items with Station Casinos, nor will her affiliation impact her judgment. She has reviewed these disclosures with the City Attorney, who opined that these items will have no material impact on Station Casinos.

MINUTES:

There was no related discussion.

(/9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Almeida & Almeida, dba Maggie's Tavern, William E. Almeida and Margarita Almeida, 100% jointly as husband and wife, To: Claudio Garcia, dba Sin Fronteras Bar & Night Club, 1203 East Charleston Boulevard, Suites I and J, Claudio H. Garcia, 100% - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership and Business Name for a Tavern License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

NOTE: Regarding Items 5, 6, and 7, COUNCILWOMAN McDONALD disclosed that she would be voting on these items, even though she is the outside director for Station Casinos, which holds privileged licenses for alcohol, as do the applicants for Items 5, 6, and 7. She has not discussed these items with Station Casinos, nor will her affiliation impact her judgment. She has reviewed these disclosures with the City Attorney, who opined that these items will have no material impact on Station Casinos.

MINUTES:

Under Item 1, JIM DiFIORE, Manager, Business Services, requested that Item 6 be stricken.

There was no further discussion.

(9:24 – 9:25/9:25 – 9:28)

1-541/1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Cook on Wok Inn, LLC, Ansheng Liu, Mgr, 50%, Hong Pu, Mgr, 50%, To: BLDMA, LLC, dba Wok's Inn, 7930 West Tropical Parkway, Suite 140, Bounleuth J. Mingmuang, Mgr, 50%, Laddavanh T. Mingmuang, Mmbr, 50% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

NOTE: Regarding Items 5, 6, and 7, COUNCILWOMAN McDONALD disclosed that she would be voting on these items, even though she is the outside director for Station Casinos, which holds privileged licenses for alcohol, as do the applicants for Items 5, 6, and 7. She has not discussed these items with Station Casinos, nor will her affiliation impact her judgment. She has reviewed these disclosures with the City Attorney, who opined that these items will have no material impact on Station Casinos.

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Business Name for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Gustav International Chartered, dba From: Oxo Steak and Seafood Eatery, To: Plush, 221 North Rampart Boulevard, Suite 7140, Gustav E. Mauler, Dir, Pres and Denise M. Mauler, 50% jointly as husband and wife, Paul C. Steelman, Dir, Treas and Maryann T. Steelman, Dir, Secy, 50% jointly as husband and wife - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Supper Club License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Slot Route Operator License subject to approval by the Nevada Gaming Commission, Eagle Rock Gaming (A Nevada Corporation), dba Eagle Rock Gaming, 50 South Jones Boulevard, Suite 100, Kimberly B. Riggs, Dir, Pres, 25%, Ernest A. Becker, V, Dir, Secy, 25%, Brian T. Becker, Dir, Treas, 25%, Sallie E. Becker, Dir, 25% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Slot Route Operator License

RECOMMENDATION:

Recommend approval subject to approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Locksmith License, Michael L. Burnett, dba Mike's Safe & Lock, 11234 Falesco Avenue, Michael L. Burnett, 100% - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Locksmith License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Martial Arts Instruction Business License, AKS Karate, Inc., dba AKS Karate, Inc., 6704 West Cheyenne Avenue, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K. R. Simmons, Dir, Treas - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that the site involved in item 54 is located across the street from a SuperPawn shop, for which he does consulting. He does not believe that would have any affect on his vote. Moreover, Item No. 11 involves a business located near a SuperPawn owned by his brother, STEVEN MACK, for whom he does consulting. The area covered under Item 14 involves a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, and the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Since all properties within this area will be affected equally, he did not feel that either of his relatives would be impacted. Item 33 relates to a shopping center, which contains another SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting. Because neither of his relatives mentioned any of these items to him, he did not believe their businesses would be impacted; therefore, he would be participating in all the aforementioned items.

MINUTES:

There was no further discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of rejection of low bid as non-responsive and award of Bid Number 03.53541.28-LED, Contract 28, Miscellaneous Improvements - Water Pollution Control Facility (WPCF), 6005 East Vegas Valley Drive, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: P.R. BURKE CORPORATION (\$3,319,000.40 - Sanitation Enterprise Fund)

Fiscal Impact☐**No Impact****Amount:** \$3,319,000.40☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Sanitation EF**PURPOSE/BACKGROUND:**

This project consists of miscellaneous improvements including, but not limited to: construction of new central pumping station for mechanical dewatering facility, demolition and rebuilding of plants 1 thru 4 primary sludge pumping stations, installation of new influent and dewatering gates; and other improvements.

The work required under this contract requires the contractor to possess an "A" or "AB" license; however the apparent low bidder possesses only a "B" license; thus deeming them non-responsive.

PCC: L.E. Davis

POC: P. R. Burke, Jr. - (702) 458-5100

RECOMMENDATION:

That the City Council reject the low bid as non-responsive and approve award of Bid Number 03.53541.28-LED to P.R. Burke Corporation in the amount of \$3,319,000.40 and approve a construction conflict and contingency reserve of \$331,900. Authority to execute contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of revision to purchase order 215281 for an annual requirements contract for Food Services for Detention and Enforcement Facility, 3300 Stewart Avenue – Department of Detention and Enforcement – Award to: INSTITUTIONAL FOODSERVICE MANAGEMENT (\$1,300,000 – General Fund) – Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$1,300,000☐**Budget Funds Available****Dept./Division:** Detention and Enforcement☒**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

On 1/12/98, Council approved an award to Institutional Foodservice Management for inmate food services for Detention and Enforcement facilities in accordance with Clark County Bid No. 3714-96 in the estimated amount of \$1,965,000 through 9/1/04. Due to increases in the inmate population, the estimated annual amount has increased by \$1,300,000 for a revised total of \$3,265,000. 50% of these costs will be funded from Clark County & Federal inmate bed revenue. Approval requires augmentation of Detention and Enforcement's FY 04 budget by approximately \$500,000.

PCC: G. Leaf

POC: Michael Doyle - (702) 221-8531

CFN: 040187-GL

RECOMMENDATION:

That the City Council approve the issuance of a revision to purchase order 215962 to Institutional Foodservice Management in the amount of \$1,300,000 for a revised total annual amount of \$3,265,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid Number 04.1730.03-LED, PM-10/CMAQ Roadway Improvements, Phase 2A and approve the construction and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CAPRIATI CONSTRUCTION CORPORATION (\$1,126,544 - Road and Flood Capital Projects Fund, Sanitation Enterprise Fund and Public Works Capital Projects Fund) - Wards 1 and 5 (Moncrief and Weekly)

Fiscal Impact☐**No Impact****Amount:** \$1,126,544☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Road & Flood CPF, Sanitation EF, and Public Works CPF**PURPOSE/BACKGROUND:**

This project consists of reconstruction of alleyways in the downtown area of Las Vegas, including paving over gravel alleys for dust control, removing existing soil, aggregate, asphalt pavement, various concrete pads, and miscellaneous structures and installing concrete valley-pan, curb, gutter, sidewalk, sidewalk ramps, asphalt pavement, various transitions and adjustment of valves, vaults and manholes. The area involved in this project is located between Charleston Blvd. and Bonanza Drive and between Maryland Parkway and Main Street.

PCC: L. E. Davis

POC: David M. Rocchio - (702) 547-1182

RECOMMENDATION:

That the City Council approve the award of Bid Number 04.1730.03-LED to Capriati Construction Corporation in the amount of \$1,126,544 and approve a construction conflicts and contingency reserve of \$225,309. Authority to execute the contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

CITY COUNCIL MEETING OF JANUARY 7, 2004
Consent – Finance and Business Services
Item 14 – Bid No. 04.1730.03-LED

MOTION – Continued:

NOTE: COUNCILMAN MACK disclosed that the site involved in item 54 is located across the street from a SuperPawn shop, for which he does consulting. He does not believe that would have any affect on his vote. Moreover, Item No. 11 involves a business located near a SuperPawn owned by his brother, STEVEN MACK, for whom he does consulting. The area covered under Item 14 involves a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, and the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Since all properties within this area will be affected equally, he did not feel that either of his relatives would be impacted. Item 33 relates to a shopping center, which contains another SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting. Because neither of his relatives mentioned any of these items to him, he did not believe their businesses would be impacted; therefore, he would be participating in all the aforementioned items.

MINUTES:

There was no further discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for the purchase of 800 megahertz radios - Department of Fire and Rescue - Award recommended to: MOTOROLA, INC. (\$567,837 - Multipurpose Special Revenue Fund)

Fiscal Impact

☐

No Impact

Amount: \$567,837

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Multipurpose SRF

PURPOSE/BACKGROUND:

This request allows for the purchase of 800 MHz radios & accessories to achieve standardized communication interoperability between LV Fire & Rescue, area hospitals and contracted ambulance companies responding to emergencies & disasters. Funding comes from a U. S. Dept of Homeland Security Grant via an interlocal agreement with Clark County approved by Council on 11/19/03.

This purchase is exempt from competitive bidding per NRS 332.115.1(a), sole source.

PCC: K. Falline

POC: Curtis Steadman - (702) 558-4437

CFN: 040157-KF

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for the purchase of 800 megahertz radios to Motorola, Inc. in the amount of \$567,837.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Contract Modification Number One to Bid Number 01.1762.05-RC, Annual Requirements Contract for AC Pavement Reconstruction - Award to: SOUTHERN NEVADA PAVING, INC. (\$350,000 - Public Works Capital Projects Fund) - All Wards

Fiscal Impact☐**No Impact****Amount:** \$350,000☒**Budget Funds Available****Dept./Division:** Field Operations☐**Augmentation Required****Funding Source:** Public Works CPF**PURPOSE/BACKGROUND:**

On March 20, 2002, the City Council awarded Bid Number 01.1762.05, Annual Requirements Contract for AC Pavement Reconstruction to Southern Nevada Paving, Inc. in the amount of \$1,200,000. Additional funding in the amount of \$350,000 is required to cover expenses associated with Bonanza Village infrastructure improvements that were not included in the current fiscal year's work plan. This request will raise the contract total to \$1,550,000.

PCC: L. E. Davis

POC: R. Riddle - (702) 876-5226

RECOMMENDATION:

That City Council approve Contract Modification Number One to Bid Number 01.1762.05-RC, AC Pavement Reconstruction to Southern Nevada Paving in the amount of \$350,000 for a revised total amount of \$1,550,000. Authority to execute Modification is given to the Field Operations Director per R-145-2001.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of revision to purchase order 209582 for City-wide Hansen Software Maintenance - Department of Information Technologies to: HANSEN INFORMATION TECHNOLOGIES, INC. (\$150,000 prorated amount for FY 2004 - Computer Services Internal Service Fund)

Fiscal Impact☐**No Impact****Amount:** \$150,000☒**Budget Funds Available****Dept./Division:** Information Technologies☐**Augmentation Required****Funding Source:** Computer Services ISF**PURPOSE/BACKGROUND:**

On June 21, 2000, Council approved the contract with Hansen Information Technologies for implementation of enterprise software including \$250,000 for partial year payment of support & maintenance. Due to timing of software implementation, prorated support & maintenance costs for FY 2004 is \$400,000. In future years, the estimated annual amount of software maintenance is \$750,000.

This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(h), software for computers.

PCC: G. Leaf

POC: Bruce Frank - (303) 792-5500, ext. 111

RECOMMENDATION:

That the City Council approve the revision to purchase order 209582 to Hansen Information Technologies for software support and maintenance in the amount of \$150,000 for fiscal year 2004, with annual renewals in the amount of \$750,000 as long as the competitive bidding exemption applies.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for an annual requirements contract for Alarm Services - Department of Field Operations - Award recommended to: ALARMCO, INC. (Estimated annual amount of \$150,000 - General Fund) - All Wards

Fiscal Impact

☐

No Impact

Amount: \$150,000

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This request will provide for alarm system installations and service at approximately 107 City properties.

This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(c), additions to and repairs and maintenance of equipment which may be more efficiently added to, repaired or maintained by a certain person.

PCC: D. Rawski

POC: Gary Corbet - (702) 382-5000

CFN: 040132-DAR

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for Alarm Services to Alarmco, Inc in the estimated annual amount of \$150,000 from date of award through December 31, 2004 with annual renewals as long as the competitive bidding exemption applies.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Contract No. 030315 Communications Third-Party Recovery Audit Services - Various Departments - Award recommended to: TSL, INC. (Estimated amount of \$75,310 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$75,310

☒

Budget Funds Available

Dept./Division: Information Technologies

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This contract will provide for an extensive audit of telephone service and telephone line billings and provides for a percentage of the recovered billings and additional cost-savings implementations to be paid to the consultant at a rate of thirty (30%) percent of the savings. Total gross savings are estimated at \$251,033. TSL, Inc. was selected based on best overall value.

This requirement is exempt from competitive bidding pursuant to NRS 332.115.1(b), professional services.

PCC: C. White

POC: Kelsey Hayden - (510) 645-1980

RECOMMENDATION:

That the City Council approve award of Contract No. 030315, Communications Third-party Recovery Audit Services to TSL, Inc. from date of award through September 30, 2004 in the estimated amount of \$75,310. Authority to execute contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for an Annual Requirements Contract for OEM Case Equipment Parts and Service - Department of Field Operations - Award recommended to: HERTZ EQUIPMENT RENTAL (Estimated annual usage amount of \$70,000 - Automotive Operations Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$70,000

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Operations ISF

PURPOSE/BACKGROUND:

This request provides for the purchase of Case tractor equipment parts and service for use by the Fleet Services Division.

This purchase is exempt from competitive bidding pursuant to NRS 332.115.1(c), additions to and repairs and maintenance of equipment which may be more efficiently added to, repaired or maintained by a certain person; and 332.115.1(d), equipment which, by reason of the training of the personnel or of any inventory of replacement parts maintained by the local government is compatible with existing equipment.

PCC: D. Rawski

POC: Bob Bardsley - (702) 876-2223

CFN: 040081-DAR

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for OEM Case Equipment parts and service to Hertz Equipment Rental in the estimated annual amount of \$70,000 from date of award through January 6, 2005 with annual renewals as long as the competitive bidding exemption applies.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of issuance of a purchase order for Class Software maintenance - Department of Information Technologies - Award recommended to: CLASS SOFTWARE SOLUTIONS (Estimated annual amount of \$65,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$65,000☒**Budget Funds Available****Dept./Division:** Information Technologies☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The Class Master Software Agreement was approved in July 2000. This purchase order covers software maintenance for the period January 21, 2004 through January 20, 2005.

This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(h), software for computers.

PCC: G. Leaf

POC: B. Hemphill - (800) 661-1196

CFN: 040188-GL

RECOMMENDATION:

That City Council approve the issuance of a purchase order for Class Software Maintenance to Class Software Solutions in the amount of \$65,000 for the period January 21, 2004 through January 20, 2005, with annual renewals as long as the competitive bidding exemption applies.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for an annual requirements contract for Toro OEM parts and service - Department of Field Operations - Award recommended to: SIMPSON NORTON CORP. (Estimated annual usage amount of \$30,000 - Automotive Operations Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$30,000

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Operations ISF

PURPOSE/BACKGROUND:

This request provides for the purchase of Toro OEM lawn mower parts and service for use by the Fleet Services Division.

This purchase is exempt from the competitive bidding pursuant to NRS 332.115.1(c), additions to and repairs and maintenance of equipment which may be more efficiently added to, repaired or maintained by a certain person; and 332.115.1(d), equipment which, by reason of the training of the personnel or of any inventory of replacement parts maintained by the local government is compatible with existing equip

PCC: D. Rawski

POC: Joe Goodwin - (877) 859-8676

CFN: 040113-DAR

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for Toro OEM parts and service to Simpson Norton Corp. in the estimated annual amount of \$30,000 from date of award through January 6, 2005 with annual renewals as long as the competitive bidding exemption applies.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF:

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Contract for Sports Park Consulting Services - Office of the City Manager
- Award recommended to: BIG LEAGUE DREAMS CONSULTING, LLC (\$600,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$600,000

☒

Budget Funds Available

Dept./Division: City Manager

☐

Augmentation Required

Funding Source: Parks & Leisure Activities CPF

PURPOSE/BACKGROUND:

This Contract provides for performance of consulting services and the providing of construction documents, drawings, and specifications applicable to the development and construction of a City Sports Park, patterned after Big League Dreams Sports Parks.

Contract is exempt from competitive bidding pursuant to NRS 332.115.1(b), professional services.

PCC: K. Rainey

POC: Scott Park Letellier (909) 287-1700

RECOMMENDATION:

That the City Council approve the Contract to Big League Dreams LLC in the amount of \$600,000. Authority to execute letter is given to the Purchasing Manager per R-145-2001

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

Under Item 2, MAYOR GOODMAN and COUNCILMAN REESE thanked RICK OVERKIRK, President, DON WEBER, Vice President, and BILL RUSSELL, former shortstop with the Dodgers, for the project under Item 23. Everyone is excited about the project. It will revolutionize the way seniors and young adults will play sports. COUNCILMAN REESE added that his son patterned his baseball techniques after MR. RUSSELL.

There was no further discussion.

(9:24 – 9:25/9:25 – 9:28/9:28 – 9:29/12:47)

1-541/1-588/1-672/3-1424

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: HUMAN RESOURCES**DIRECTOR: F. CLAUDETTE ENUS**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to contract with Behavioral Healthcare Options, Inc. (BHO) for an employee assistance plan for employees choosing Health Plan of Nevada as their insurance provider (\$5,900 - Self-insurance Internal Service Fund)

Fiscal Impact☐**No Impact****Amount:** \$5,900☒**Budget Funds Available****Dept./Division:** Human Resources - Insurance☐**Augmentation Required****Funding Source:** Self-insurance Internal Service Fund**PURPOSE/BACKGROUND:**

The City of Las Vegas has approved a contract with the Health Plan of Nevada (HPN). In order to have continuity of care from a mental health prospective, it is recommended that approval of a contract with BHO, the Employee Assistance Plan for HPN members. BHO is currently contracted with the City of Las Vegas and has offered to extend the contract with no additional cost for Calendar Year 2004. Costs are within approved FY2004 budgets.

RECOMMENDATION:

Approval to contract with Behavioral Healthcare Options, Inc. (BHO) for an employee assistance plan.

BACKUP DOCUMENTATION:

1. Letter from Behavioral Healthcare Options, Inc. dated December 5, 2003
2. Employee Assistance Program Attachment No. 1, Services Provided and Fees

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: HUMAN RESOURCES

DIRECTOR: F. CLAUDETTE ENUS

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of payment for a permanent partial disability award - Claim #WC00080330 - as required under the workers' compensation statutes (\$66,060 - Workers' Compensation Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$66,060

☒

Budget Funds Available

Dept./Division: Human Resources - Insurance

☐

Augmentation Required

Funding Source: Workers' Compensation Internal Service Fund

PURPOSE/BACKGROUND:

A City of Las Vegas Corrections Sergeant injured his left shoulder and his lumbar spine after he sat on the end of a briefing table which collapsed. He has been rated by a state authorized medical provider who determined that the injury resulted in a 23.5% percent whole person impairment.

RECOMMENDATION:

Approval of the \$66,060 payment for permanent partial disability award.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to file an amendment to Right-of-Way Grant N-76116 with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes on portions of land lying within the Southwest Quarter of Section 17, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the north side of the Solar Lane alignment, between the Campbell Road and Dapple Gray alignments, APN 125-17-401-002 – Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to file a Right-of-Way Grant with the Bureau of Land Management for sewer purposes on portions of land lying within the Southwest Quarter of Section 30, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the south side of the Tropical Parkway alignment, between the alignments of Hualapai Way and Grand Canyon Drive, APN 125-30-301-008 and -302-006 - County

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Professional Services Agreement with C+B Nevada, Inc., for the design services of the Detention Culinary Upgrade located at 3300 Stewart Avenue, between Mojave Road and Pecos Road (\$132,428 - Detention Capital Project) - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

Amount: \$132,428

☒

Budget Funds Available

Dept./Division: Public Works/Eng. Integration

☐

Augmentation Required

Funding Source: Detention Capital Projects

PURPOSE/BACKGROUND:

Upgrading the existing culinary building and equipment to provide adequate on-site facilities for preparation of meals for the existing facility inmate population capacity.

RECOMMENDATION:

That the City Council approve the negotiated Professional Services Agreement with C+B Nevada, Inc. for the design services of the Detention Culinary Upgrade in the amount of \$132,428 and approve an additional services reserve of \$13,243.

BACKUP DOCUMENTATION:

Professional Services Agreement

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Lochsa Engineering on behalf of Calvin Lee Monfort, owner (southwest corner of Dapple Gray Road and Hickam Avenue, APN 138-05-401-002) - County (near Ward 4 - Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect four single family dwellings located at the southwest corner of Dapple Gray Road and Hickam Avenue. The owner proposes to connect to an existing 8" sewer line located in Hickam Avenue. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda memo

Submitted after Council meeting – Interlocal Contract

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Luis Alires P.E., Consulting Engineer on behalf of Thomas Wheeler, owner (northeast corner of Corbett Street and Kevin Street, APN 125-29-304-007) - County (near Ward 6 - Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect two single family dwellings located at the northeast corner of Corbett Street and Kevin Street. The owner will extend the 8" sewer in Kevin Street at .4% slope to the south edge of the property and connect to the 12" City sewer line in Tropical Parkway. The Planning Department has determined the project does conform to the City's General Plan; there is sufficient capacity in the City Sanitary Sewer. The applicant has signed a "Sewer Connection Agreement. "This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda memo

Submitted after Council meeting – Interlocal Contract

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Keith Lane on behalf of Rebuilding Together with Christmas in April, owner (611 South Ninth Street) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Work/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment consists of an approximate 7' wide area of landscaping on the east side of Ninth Street extending approximately 61' along the property line consisting of shrubs, ground cover, an irrigation system to satisfy a condition of SDR-2642 for a proposed office conversion of a single family residence at 611 South Ninth Street. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (611 South Ninth Street)
2. Copy of Encroachment Exhibit "B" (typical section)
3. Copy of Encroachment Exhibit "C" (vicinity map)

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Taney Engineering on behalf of Lewis Center Parking, LLC, owner (northeast corner of Lewis Avenue and Casino Center Boulevard) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of an approximate 25' wide area of landscaping on the north side of Lewis Avenue and an approximate 6' wide area of landscaping on the east side of Casino Center Boulevard extending along the property lines consisting of trees and an irrigation system to meet Downtown Centennial Plan landscaping requirements for the proposed Lewis Center Parking Garage. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (northeast corner of Lewis Avenue and Casino Center Boulevard)

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS (Note: Immediately after adjourning the Redevelopment Agency meeting, MAYOR GOODMAN indicated his abstention on Item 32 to avoid any possible conflict because he has not been fully paid for the sale of property within the vicinity.)

MINUTES:

There was no further discussion.

(9:25 –9:28/12:47)

1-588/3-1424

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Encroachment Request from Primas and Associates on behalf of Higginbotham Family Trust, owner (Washington Avenue east of Buffalo Drive) - Ward 2 (L.B. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed encroachment will consist of landscaping of both sides of a multi-use trail to be located adjacent to the Buffalo Drive exit ramp from west bound Summerlin Parkway consisting of trees, shrubs, vines, ground cover, and an irrigation system for the proposed Sun Auto Service establishment. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (multi-use trail south of Washington Avenue east of Buffalo Drive)

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that the site involved in item 54 is located across the street from a SuperPawn shop, for which he does consulting. He does not believe that would have any affect on his vote. Moreover, Item No. 11 involves a business located near a SuperPawn owned by his brother, STEVEN MACK, for whom he does consulting. The area covered under Item 14 involves a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, and the Lady Luck Casino, with which his brother-in-law, ANDREW DONNER, has a contract. Since all properties within this area will be affected equally, he did not feel that either of his relatives would be impacted. Item 33 relates to a shopping center, which contains another SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting. Because neither of his relatives mentioned any of these items to him, he did not believe their businesses would be impacted; therefore, he would be participating in all the aforementioned items.

CITY COUNCIL MEETING OF JANUARY 7, 2004

Consent – Public Works

Item 33 – Approval of an Encroachment Request from Primas and Associates on behalf of Higginbotham Family Trust, owner (Washington Avenue east of Buffalo Drive)

MINUTES:

There was no further discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-1-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Talega @ The Vistas - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-1-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-2-2004 - Approval of a Resolution approving the Fifty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Talega @ The Vistas - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-2-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-3-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) (\$168,901.24 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$168,901.24

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The installation of pavement, curb, gutter, sidewalk, driveways, streetlights, and sewer laterals.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-3-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-4-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) (\$168,901.24 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$168,901.24

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The installation of pavement, curb, gutter, sidewalk, driveways, streetlights, and sewer laterals.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-4-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-5-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1474 - Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) (\$209,036.50 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$209,036.50

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The installation of pavement, left turn lane and/or center median, "L" type curb and gutter, sidewalks, streetlights, water laterals and sewer laterals. The entire project length is located in Wards 2 and 6; however, the properties involved in the SID are located in Ward 6.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-5-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-6-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1474 - Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) (\$209,036.50 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$209,036.50

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The installation of pavement, left turn lane and/or center median, "L" type curb and gutter, sidewalks, streetlights, water laterals and sewer laterals. The entire project length is located in Wards 2 and 6; however, the properties involved in the SID are located in Ward 6.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-6-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-7-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) (\$2,744,088.73 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$2,744,088.73

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, curb and gutter, driveway approaches, streetlights, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, pavement, curb and gutter, storm drain facilities, water mains, and streetlights will be constructed along the south side of Elkhorn Road.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-7-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-8-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) (\$2,744,088.73 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$2,744,088.73

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, curb and gutter, driveway approaches, streetlights, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, pavement, curb and gutter, storm drain facilities, water mains, and streetlights will be constructed along the south side of Elkhorn Road.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-8-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-9-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) (\$402,663.60 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$402,663.60

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The installation of pavement, "L" type curb and gutter, sidewalk, commercial and residential driveway approaches, water laterals, sewer laterals and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-9-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-10-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) \$402,663.60 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$402,663.60

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The installation of pavement, "L" type curb and gutter, sidewalk, commercial and residential driveway approaches, water laterals, sewer laterals and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-10-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-11-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Hearing thereon be given regarding Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) (\$349,029.49 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$349,029.49

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Installation of pavement, curb, gutter, sidewalk, and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-11-2004

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

There was no related discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval to enter into negotiations with The Animal Foundation to amend the current Lease Agreement or to establish a new Lease Agreement for the Animal Shelter Facility located at 655 North Mojave Road - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Public Works/Real Estate & Assets received a letter from The Animal Foundation dated 11/11/03. The Foundation stated that their architectural firm has completed a design plan depicting expansion of The Foundation and incorporating other design aspects including canine bungalows, an adoption center, a barn, an obedience & show center & a veterinary technician training facility. CLV is in the process of recording a new parcel map to consolidate the land subject to the existing lease.

RECOMMENDATION:

The 1/5/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. 11/11/03 letter
2. Site map
3. Submitted after final agenda – Additional Site Map

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a License Agreement between the City of Las Vegas and DTR6, L.L.C. for the purpose of assuring the continued clean and orderly appearance of the roads and have the City agree to refrain from imposing parking restrictions along the west side of Bilbray Drive and the south side of Balzar Avenue located next to the Best In The West Shopping Center (\$14,400 first year revenue) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$14,400 1st yr. revenue☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** Real Estate/Misc. Rentals**PURPOSE/BACKGROUND:**

CLV owns the public R-O-W commonly known as James Bilbray Dr. & Balzar Ave. DTR6 desires to add tenants to the Shopping Center, which may increase parking & pedestrian traffic. DTR6 has an interest in obtaining a license agreement stating CLV will not impose any additional parking restrictions along the westside of Bilbray Dr & the S. side of Balzar Ave than is currently enforced. In exchange for the license, DTR6 will pay CLV \$14,400 the 1st yr (with a 3% increase each year thereafter). DTR6 will be responsible for providing liability ins, painting curbs & keeping the sidewalks clean & orderly.

RECOMMENDATION:

The 1/5/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

License Agreement

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ-ACTING ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Lease Agreement Amendment between the City of Las Vegas and Jude 22 for use of a building located at 320 South 9th Street to operate a Senior Nutrition Center to include the use of a 400 square foot trailer for storage purposes at no additional rental charge - Ward 5 (Weekly)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Currently, Jude 22 leases a building located at 320 S. 9th Street to operate a Senior Nutrition Center and has requested the use of a 400 square foot trailer to store food items to allow more operating space within the building.

RECOMMENDATION:

The 1/5/2004 Real Estate Committee and staff recommend approval and authorization of the Mayor to execute the Agreement with Jude 22.

BACKUP DOCUMENTATION:

First Amendment to Lease Agreement

MOTION:

REESE – Motion to APPROVE Items 2-5 and 7-47 with Item 6 STRICKEN – UNANIMOUS

MINUTES:

Under Item 2, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:25 –9:28)

1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Recent events have called attention to the need to establish a policy to address the employment of state legislators and other elected and appointed government officials by the City of Las Vegas. Staff will present policy options for consideration by the City Council.

RECOMMENDATION:

Receive a presentation and direct staff to prepare an appropriate policy

BACKUP DOCUMENTATION:

Submitted at the meeting: copy of 2.51.020 – Public official activities

MOTION:

REESE – ABEYANCE to 2/4/2004 – UNANIMOUS

MINUTES:

A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

DOUG SELBY, City Manager

BRAD JERBIC, City Attorney

LYNETTE BOGGS McDONALD, Councilwoman

GARY REESE, Councilman

LARRY BROWN, Councilman

CITY COUNCIL MEETING OF JANUARY 7, 2004

Administrative

Item 48 – Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

MINUTES - Continued:

APPEARANCES:

MICHAEL MACK, Councilman

LAWRENCE WEEKLY, Councilman

JANET MONCRIEF, Councilwoman

BARBARA JO RONEMUS, City Clerk

NOTE: MAYOR GOODMAN directed that CITY ATTORNEY JERBIC immediately forward to the Attorney General's Office for consideration COUNCILWOMAN McDONALD'S comments, together with the positions of the various Councilmembers.

(9:29 – 10:03)

1-719

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Hearing, discussion and possible action regarding complaint seeking disciplinary action against La Fuente, Inc., d/b/a Cheetah's, 2112 Western Avenue, Las Vegas, Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Hearing, discussion and possible action regarding disciplinary complaint.

RECOMMENDATION:

Recommend revocation of Tavern License No. L16-00040-4-000435.

BACKUP DOCUMENTATION:

Complaint for Disciplinary Action

Submitted after final agenda – Motion to Disqualify Councilwoman Janet Moncrief

Submitted at the meeting: Original Complaint for Disciplinary Action by Sr. Litigation Specialist Bill Henry, document from Scott Griffiths, and the following documents by Attorney Dominic Gentile: Respondent's Motion to Dismiss the Complaint and Sanction, letter dated 10/28/2003 from Mike Galardi to Jack Galardi, Trespass Notice signed by Michael Galardi, and Affidavit of Michael Galardi

MOTION:

1) GOODMAN – motion to IMPOSE disciplinary action – UNANIMOUS with MACK abstaining because his business Mack Consulting has a contract with Treasures, a direct competitor of Cheetah's

2) MONCRIEF – motion to REVOKE the license – motion failed with BROWN, GOODMAN, and L.B. McDONALD voting NO, and MACK abstaining because his business Mack Consulting has a contract with Treasures, a direct competitor of Cheetah's

3) GOODMAN – motion to IMPOSE a \$1,095,000 fine, to be paid within 30 days from this meeting date, and directing staff to immediately bring the license back to the Council if JACK GALARDI is found non-suitable – motion carried with WEEKLY and MONCRIEF voting NO and MACK abstaining because his business Mack Consulting has a contract with Treasures, a direct competitor of Cheetah's

NOTE: Subsequent to the meeting Business Services staff did a recalculation and found that the correct fine should have been set at \$1,017,000.

CITY COUNCIL MEETING OF JANUARY 7, 2004

City Attorney

Item 49 – Hearing, discussion and possible action regarding complaint seeking disciplinary action against La Fuente, Inc., d/b/a/ Cheetah's, 2112 Western Avenue, Las Vegas, Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code

MOTION - Continued:

NOTE: MAYOR GOODMAN disclosed three areas of concern which he did not believe would require abstention, but for which he sought ASSISTANT CITY ATTORNEY REDLEIN'S advice. Many years ago he represented JACK GALARDI on a matter on which he does not recall the facts and that occurred so long ago that it would not have any affect whatsoever on his ability to make a fair and impartial vote on this matter. Over the years he has seen MR. GALARDI, but has not discussed that particular legal representation. Second is that his son, ROSS GOODMAN, is an attorney in town and is on retainer with Treasures, a competitor of Cheetah's. MAYOR GOODMAN affirmed that he has no professional relationship with his son or his son's independent law practice, including with regard to Treasures and does not receive any income from his son from Treasures. Lastly, with regard to representations made by MR. GENTILE to him or read in the general meeting that JACK GALARDI is MR. GENTILE'S client and that MR. GENTILE'S relationship with his client's son, MICHAEL GALARDI, are at arms length involving negotiations wherein JACK GALARDI purchased MICHAEL GALARDI'S interest in the La Fuente Inc., the corporation doing business as Cheetah's. The situation has resulted in some acrimony between father and son, which is irrelevant. No business relationship remains between father and son with regard to Cheetah's or La Fuente. MAYOR GOODMAN further disclosed that his law partner, DAVID CHESNOFF, had a discussion with MICHAEL GALARDI regarding potential representation on a plea withdrawal and MR. CHESNOFF expressed concern as to whether or not that would put MAYOR GOODMAN in a compromising position, even though no retainer or representation relationship had been established. Having had this brought to his attention, MAYOR GOODMAN was fully disclosing the facts, although he felt they did not constitute a conflict and he would remain able to participate in the proceedings. He requested ASSISTANT CITY ATTORNEY REDLEIN and MR. GENTILE add any appropriate comments before he would make a final decision on whether to recuse himself. ASSISTANT CITY ATTORNEY REDLEIN concurred that the past representation occurred well beyond the cut off calendar established by the State Ethics Commission and neither his son's independent representation of a competitor or his law partner's possible representation created a conflict since the Mayor indicated neither would affect his impartiality. MR. GENTILE also concurred regarding the lack of a conflict, adding that JACK GALARDI, 100% owner of La Fuente, is not before the Council and MR. CHESNOFF is not now representing MICHAEL GALARDI.

NOTE: COUNCILWOMAN McDONALD disclosed that she would be voting on this matter, even though she is an outside director of Station Casinos, who holds privileged licenses for alcohol, as does this applicant. She has not discussed this matter with Station Casinos and she did not feel that her affiliation would impact her judgment.

CITY COUNCIL MEETING OF JANUARY 7, 2004

City Attorney

Item 49 – Hearing, discussion and possible action regarding complaint seeking disciplinary action against La Fuente, Inc., d/b/a/ Cheetah's, 2112 Western Avenue, Las Vegas, Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code

MOTION - Continued:

NOTE: CITY ATTORNEY JERBIC disclosed that although he did not believe there is a conflict of interest, he would be recusing himself from this matter, as he has previously, because he felt it was too late to participate. He further explained that earlier when he was informed that Attorney George P. Kelesis could be representing Michael Galardi, he disclosed that Attorney Kelesis had been a family attorney and had done work for his mother last year. Consequently, he did not feel it was appropriate to serve as Board counsel. However, he was recently informed that Attorney Kelesis would probably not be involved in this matter. Another attorney, Marc Cook, who had also done some legal work for his family, would be representing Michael Galardi. As a result, Mr. Redlein has represented this matter and will continue to do so.

MINUTES:

A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

GARY REESE, Councilman

JOHN REDLEIN, Assistant City Attorney

DOMINIC GENTILE, Attorney, representing La Fuente, Inc.

MICHAEL MACK, Councilman

LARRY BROWN, Councilman

LYNETTE BOGGS McDONALD, Councilwoman

BRAD JERBIC, City Attorney

JANET MONCRIEF, Councilwoman

BILL HENRY, Sr. Litigation Counsel

JIM DiFIORE, Manager, Business Services

SUSAN COLE, Attorney, 1055 Peachtree Street

ANTHONY ARNONE, Sergeant, Las Vegas Metropolitan Police Department

ROBERT GENZER, Director, Planning and Development

(10:03 – 11:44)

1-2000/2-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing related to the amendment of the use of proceeds and pledged funding source for the City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues) Series 2002A - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Because the parking garage originally planned for this bond issue is now no longer feasible, the City is developing plans to change the use of the proceeds to the construction of a second tower for the City Hall campus. Additionally, the pledged source for repayment will be changed from the parking enterprise fund to consolidated tax. The City obtained approval from the Clark County Debt Management Commission on December 5, 2003 and ultimately plans to amend the bond ordinance with a consent from the insurer of the bonds.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

None

MOTION:

None required. The public hearing was held.

NOTE: COUNCILMAN MACK disclosed that although the proposed City Hall tower will be near the Lady Luck Casino, he did not believe it would impact the property or affect the contract his brother-in-law, ANDREW DONNER, has with the Lady Luck. His brother-in-law has not mentioned this proposal to him, so he felt comfortable voting on this matter.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, advised that about a year ago the Council approved the bond ordinance to issue \$25 million worth of bonds to build a parking garage. Those were bonds secured by parking garage revenues. However, since then several

CITY COUNCIL MEETING OF JANUARY 7, 2004

Finance and Business Services

Item 50 – Public Hearing related to the amendment of the use of proceeds and pledged funding source for the City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues) Series 2002A

MINUTES – Continued:

developments have occurred downtown that eliminated the demand for the parking garage. City staff no longer feels the parking garage is a feasible project. Therefore, staff would like to amend the purpose of the bonds in order to proceed with a City Hall expansion. The pledged revenue would change from parking revenues to consolidated tax. After the public hearing, staff will seek to amend the bond. If approved, the first reading of the amended bond ordinance will be scheduled for April.

MAYOR GOODMAN declared the Public Hearing closed.

(11:44 – 11:46)

2-2529

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License, Salar Shoshani, dba Stop and Save Mini Mart & Gas, 99 South Martin L. King Boulevard, Salar Shoshani, 100% - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

WEEKLY – APPROVED – UNANIMOUS

NOTE: COUNCILWOMAN McDONALD disclosed for Items 51 and 52 that she is an outside director for Station Casinos, which holds privileged licenses for alcohol, as do the applicants in Items 51 and 52. She has not discussed these issues with the company, nor did she feel that her affiliation with Station Casinos would impact her judgment. Therefore, she would be voting on both items.

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, deferred to SERGEANT REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), for a report.

SERGEANT ALEXANDER indicated that a six-month review of calls for service was done for this location and did not find any problems. One of Metro's enforcement teams recently conducted an inspection of the site and found everything in order. SERGEANT ALEXANDER opined that the applicant met the conditions.

There was no further discussion.

(11:46 – 11:48)

2-2638

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 7 slots, Golden Route Operations, LLC, db at Stop and Save Mini Mart & Gas, 99 South Martin L. King Boulevard - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

WEEKLY – APPROVED – UNANIMOUS with L.B. McDONALD not voting

NOTE: COUNCILWOMAN McDONALD disclosed for Items 51 and 52 that she is an outside director for Station Casinos, which holds privileged licenses for alcohol, as do the applicants in Items 51 and 52. She has not discussed these issues with the company, nor did she feel that her affiliation with Station Casinos would impact her judgment. Therefore, she would be voting on both items.

MINUTES:

BRAD PATTERSON, President of Golden Route Operations, was present.

JIM DiFIORE, Manager, Business Services, and SERGEANT REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), were present. MR. DiFIORE indicated that the report SERGEANT ALEXANDER made under Item 51 would apply to this matter.

See Item 51 for related discussion.

(11:48 - 11:49)

2-2728

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Class I-B Secondhand Dealer License subject to the provisions of the planning and fire codes, Oval Six, Inc., dba Hubcap Heaven and Wheels of Nevada, 3070 Sirius Avenue, Unit 109, Rodney A. Glenn, Dir, Pres, 50%, John A. Glenn, Secy, Treas, 50% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Class I-B Secondhand Dealer License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from John A. Glenn
3. Map

MOTION:

MONCRIEF – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – UNANIMOUS with L.B. McDONALD not voting

MINUTES:

The applicants were present.

JIM DiFIORE, Manager, Business Services, indicated that the applicants met the criteria for temporary approval. He recommended approval.

There was no further discussion.

(11:49 – 11:50)

2-2776

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR:** ORLANDO SANCHEZ, ACTING ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Discussion and possible action regarding funding of winter shelter at Shade Tree, Salvation Army, and Catholic Charities as well as funds for a Regional Homeless Coordinator position as accepted by the Southern Nevada Regional Planning Coalition (SNRPC) Technical Committee on Homelessness (Not to exceed \$129,742 - General Fund-Weather Shelter) - All Wards

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: Not to exceed \$129,742
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: Neighborhood Services
<input type="checkbox"/>	Augmentation Required	Funding Source: General Fund-Weather Shelter

PURPOSE/BACKGROUND:

The Southern Nevada Regional Planning Coalition (SNRPC) recently created the Technical Committee on Homelessness to replace the former Homelessness Task Force. Since its creation, the Technical Committee on Homelessness has undertaken several significant tasks relating to the regional issue of homelessness, including the hiring of a Regional Homeless Coordinator, establishment of an winter emergency shelter plan, and development of a Community Assistance Center. The intent of this item is to provide an update regarding the issues before the SNRPC Technical Committee on Homelessness and seek direction regarding funding the city of Las Vegas portion of the Regional Coordinator position (\$23,800) and the winter shelter expansion (\$105,942).

RECOMMENDATION:

Staff recommends funding approval of the city of Las Vegas portion of the Regional Homeless Coordinator position and winter shelter expansion totaling \$129,742.

BACKUP DOCUMENTATION:

1. Letter from Office of the County Manager dated December 15, 2003
2. Regional Homeless Coordination

MOTION:

REESE – Motion to bring forward and STRIKE Item 54 – UNANIMOUS with L.B. McDONALD abstaining because she is a Trustee of Catholic Charities of Southern Nevada, which is a beneficiary of this matter

NOTE: Under Item 2, COUNCILMAN MACK disclosed that he would be voting on Item 54 even though the site is located across the street from a SuperPawn shop, for which he does consulting. He does not believe that would have any affect on his vote.

CITY COUNCIL MEETING OF JANUARY 7, 2004

Neighborhood Services

Item 54 – Discussion and possible action regarding funding of winter shelter at Shade Tree, Salvation Army, and Catholic Charities as well as funds for a Regional Homeless Coordinator position as accepted by the Southern Nevada Regional Planning Coalition (SNRPC) Technical Committee on Homelessness (Not to exceed \$129,742 – General Fund-Weather Shelter)

MINUTES:

There was no further discussion.

(9:24 – 9:25/9:25 –9:28)

1-541/1-588

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

ABEYANCE ITEM - CHILD CARE LICENSING BOARD – New Ward 5 Coterminous Appointment, Term Expiration 6-2007

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

With the passage of Ordinance 5635, the seven members of the Child Care Licensing Board are now equal to the number of those serving on the City Council, and each member of Council appoints one member subject to ratification by the Council. Terms will run concurrently with the term of the appointing City Council member, all members of this board must be City residents, and unexpired terms must be filled. Additionally, one member of the seven must be a current licensed operator of a facility in the city and a second member may be a current licensed operator or former licensed operator. The other five citizen members are not required to fill a specific category. At the City Council Meeting of December 17, 2003, an appointment was made to the Ward 6 seat, the unexpired term of Dianne Farkas was filled, and the Ward 5 seat on this Board was abeyed until the City Council Meeting of January 7, 2004.

RECOMMENDATION:

It will be necessary for Councilman Weekly to recommend his Ward 5 coterminous appointee. Recommendations must be ratified by the City Council, must be city residents, and as one licensed and former licensed operator currently serve on this board, the appointee will need to be a citizen representative.

BACKUP DOCUMENTATION:

Current Listing and Authority – Child Care Licensing Board

MOTION:

WEEKLY – ABEYANCE to 2/4/2004 – UNANIMOUS with L.B. McDONALD not voting and GOODMAN abstaining because this board will have jurisdiction over the Meadows Pre-School where his wife is the president

CITY COUNCIL MEETING OF JANUARY 7, 2004
Boards & Commissions
Item 55 – Child Care Licensing Board

MINUTES:

COUNCILMAN WEEKLY indicated that there was an issue with the person he recommended.

JIM DiFIORE, Manager, Business Services, requested this matter be held until 2/4/2004.

There was no further discussion.

(11:50 – 11:51)
2-2823

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BOARDS & COMMISSIONS:

ABEYANCE ITEM - TRAFFIC & PARKING COMMISSION – Lewis Brandon, Term
Expiration 10-18-2004 (Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Ordinance #5258 enacted October 4, 2000 increased the public membership on this commission to seven. The members are appointed by the Mayor and confirmed by the City Council such that one member shall reside in and represent each of the six Wards and one member representing the City as a whole. Mr. Brandon, a representative of Ward 6, has resigned. This seat requires Councilman Mack's recommendation. There is no requirement to fill unexpired portions of terms and no limits to the number of terms which may be served. At the Council Meeting of December 17, 2003, this item was abeyed to January 7, 2004

RECOMMENDATION:

Procedure for this Board requires appointment by the Mayor with confirmation by the City Council. The new appointee for Mr. Brandon's seat is Councilman Mack's recommendation and must be a resident of Ward 6.

BACKUP DOCUMENTATION:

Current Listing & Authority - Traffic & Parking Commission

MOTION:**MACK – ABEYANCE to 2/4/2004 – UNANIMOUS****MINUTES:**

There was no discussion.

(11:51 – 11:52)
2-2880

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BOARDS & COMMISSIONS:

ABEYANCE ITEM - COMMUNITY DEVELOPMENT RECOMMENDING BOARD
(CDRB) – Monica Caruso, Term Expiration 5-5-2004 (Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This Board reviews all Community Development Block Grant and other funding sources and makes recommendations to the City Council on the applicants eligible to receive these funds. Terms are for six months and members may serve up to six consecutive terms. Unexpired portions of terms must be filled. Ms. Caruso is a Housing and Development representative on this Board. At the City Council Meeting of December 17, 2003, this item was abeyed to January 7, 2004.

RECOMMENDATION:

Procedure is appointment by City Council. Appointee must represent Housing and Development.

BACKUP DOCUMENTATION:

1. Letter of Resignation – Monica Caruso
2. Current Listing and Authority - Community Development Recommending Board
3. Board Interest Forms – Suzanne Hackett-Morgan, Heather Olsen and Richard Linsmeier

MOTION:

MACK – MOTION to APPOINT DEBBIE KINSORA, 6013 Golden Saddle, Las Vegas, Nevada 89130 – UNANIMOUS

MINUTES:

COUNCILMAN MACK indicated that MS. KINSORA is a longstanding good citizen of Ward 6. CITY CLERK RONEMUS indicated that another person on the board already represents the housing and development area; therefore, MS. KINSORA would be representing the community at large.

There was no further discussion.

(11:52 – 11:53)
2-2912

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BOARDS & COMMISSIONS:

PARK & RECREATION ADVISORY COMMISSION – Letia (Lee) M. Heenan, Term
Expiration 1-3-2004

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The term of office for Letia (Lee) M. Heenan will expire January 3, 2004. There is no City residency requirement, terms are for three years and there is no limit to the number of terms that may be served. Ms. Heenan is eligible and wishes to be reappointed.

RECOMMENDATION:

Procedure for this Board requires appointment by the City Council. Options are:
Appoint a new member or reappoint Ms. Heenan to this seat

BACKUP DOCUMENTATION:

1. Current Listing and Authority-Park & Recreation Advisory Commission
2. Memorandum from Dr. Barbara Jackson regarding reappointment of Ms. Heenan

MOTION:

GOODMAN – MOTION to REAPPOINT LETIA M. HEENAN – UNANIMOUS

MINUTES:

There was no discussion.

(11:53 – 11:54)
2-2982

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: IAIN VASEY, ACTING**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Discussion and possible action to direct and authorize staff to proceed with a Request For Development Proposals for the site at 3rd Street and Bonneville Avenue totaling approximately 2.38 acres owned by Office District Parking I, Inc., APN 139-34-311-095 to -102 and -105 to 110 - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Office District Parking I, Inc., a wholly owned subsidiary of the City, is considering whether to proceed with a Request For Development Proposals (RFP) for the site at 3rd Street and Bonneville Avenue. The RFP would expressly seek development proposals for the site that further the development goals and objectives set forth in the Las Vegas Downtown Centennial Plan. Priority will be given to urban density residential proposals from financially strong developers.

RECOMMENDATION:

The 1/5/2004 Real Estate Committee recommended approval. Staff requested the Council review and provide staff with direction and authorization to proceed.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Site map

MOTION:

MONCRIEF – APPROVED as recommended – UNANIMOUS

MINUTES:

IAIN VASEY, Acting Director, Business Development, reviewed the information contained under the Purpose/Background section above. He noted that staff would be targeting the RFP towards an urban density residential product with retail on the ground floor. The RFP will be advertised through Urban Land Institute Magazine and other magazines, as well as through the local press. If approved, the RFP will open sometime in January and close 60 days thereafter. The final recommendation should be brought before the Council sometime in June.

CITY COUNCIL MEETING OF JANUARY 7, 2004

Real Estate

Item 59 – Discussion and possible action to direct and authorize staff to proceed with a Request for Development Proposals for the site at 3rd Street and Bonneville Avenue totaling approximately 2.38 acres owned by Office District Parking I, Inc., APN 139-34-311-095 to –102 and –105 to 110

MINUTES – Continued:

There was no further discussion.

(11:54 – 11:55)

2-3015

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-105 – Annexation No. ANX-3026 – Property location: On the north of Moccasin Road, west of Buffalo Drive, and east of Spin Ranch Road; Petitioned by: City of Las Vegas; Approximate acreage: 7,683 acres; Zoned: R-U (County zoning), U (City equivalent).
Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located north of Moccasin Road, west of Buffalo Drive, and east of Spin Ranch Road. The annexation is at the request of the City, with a statement of non-objection having been filed by the Bureau of Land Management as owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 14, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 1/7/2004 City Council meeting pursuant to the 12/15/2003 Recommending Committee.

First Reading – 12/3/2003; First Publication – 12/26/2003

BACKUP DOCUMENTATION:

Bill No. 2003-105 and Location Map

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5657 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

COUNCILMAN MACK commented that this probably constitutes the second largest annexation in Ward 6.

There was no further discussion.

(11:55 – 11:56)

2-3018

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-103 – Prohibits the use of residential streets for the test-driving of vehicles offered for sale or lease by a vehicle dealership. Sponsored by: Councilwoman Janet Moncrief and Mayor Oscar B. Goodman

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In some areas of the City, customers and employees of vehicle dealerships use nearby residential streets for the test-driving of vehicles that are being offered for sale or lease. This bill will generally prohibit that practice and, in addition to traditional enforcement tools, will provide that violations by dealership personnel may result in license disciplinary action.

RECOMMENDATION:

ABEYANCE to 1/20/2004 Recommending Committee meeting pursuant to the 1/5/2004 Recommending Committee.

First Reading – 11/19/2003; First Publication – N/A

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/20/2004 Recommending Committee

1/21/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-107 – Annexation No. A-0017-02 (A) – Property location: On the southeast corner of Rainbow Boulevard and Atwood Avenue; Petitioned by: Dr. Carol Barlow; Acreage: 1.18 acres; Zoned: C-P (County zoning), O (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Rainbow Boulevard and Atwood Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 30, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 1/21/2004 City Council meeting pursuant to the 1/5/2004 Recommending Committee.

First Reading – 12/17/2003; First Publication – 1/9/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/21/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-108 – Annexation No. ANX-3103 – Property location: On the southwest corner of Coke Street and Horse Drive; Petitioned by: Coke Maggie LLC; Acreage: 5.94 acres; Zoned: R-E (County zoning), U (RNP) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Coke Street and Horse Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 30, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 1/21/2004 City Council meeting pursuant to the 1/5/2004 Recommending Committee.

First Reading – 12/17/2003; First Publication – 1/9/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/21/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-109 – Requires mobile food vendors to attach a City issued identification number to their vending vehicle, and conditions their operations within one thousand feet of a licensed concession stand located in a City park. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will prohibit a mobile food vendor from operating within one thousand feet of a licensed concession stand located in a City park when the concession stand is open for business. Additionally, this bill prohibits the transfer of a mobile food vendor license, and requires that the identification number assigned by the City to a mobile food vendor vehicle be displayed in such a manner on the rear, upper left corner area of the vehicle that it can be easily read from a distance of ten feet.

RECOMMENDATION:

ADOPTION at 1/21/2004 City Council meeting pursuant to the 1/5/2004 Recommending Committee.

First Reading – 12/17/2003; First Publication – 1/9/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/21/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-110 – Imposes a new requirement for the display of ice cream truck business licenses, prohibits the transfer of such licenses, repeals the requirement that ice cream trucks be inspected annually by the City, and conditions their operations within one thousand feet of a licensed concession stand located in a City park. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Currently, an ice cream truck (vehicle) must be inspected annually by the City in addition to meeting Health District certification requirements. This bill repeals the City's annual inspection requirement. This bill prohibits a vehicle's operation within one thousand feet of a licensed concession stand in a City park when the concession stand is open for business, its operation at the same location more than once a day, and its operation for longer than thirty minutes at any one location. The vehicle's City identification number must be readable from ten feet.

RECOMMENDATION:

ADOPTION at 1/21/2004 City Council meeting pursuant to the 1/5/2004 Recommending Committee.

First Reading – 12/17/2003; First Publication – 1/9/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/21/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-111 – Allows mixed-use developments by means of special use permit throughout the Neighborhood Revitalization Area established by the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City's zoning regulations currently allow mixed-use developments by means of special use permit within the Downtown Redevelopment Area. This bill will expand the number of potential locations for this type of development, providing that the use may be allowed by means of special use permit throughout the larger Neighborhood Revitalization Area, as established by the Las Vegas 2020 Master Plan.

RECOMMENDATION:

ADOPTION at 1/21/2004 City Council meeting pursuant to the 1/5/2004 Recommending Committee.

First Reading – 12/17/2003; First Publication – 1/9/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/21/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-112 – Establishes the circumstances under which the use “temporary real estate sales office” may be permitted as a conditional use in various commercial and industrial districts. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Temporary real estate sales offices currently are permitted to be located within and in connection with traditional subdivision developments, but there is no provision for the use in commercial and industrial districts. This bill establishes the parameters for the use in those districts.

RECOMMENDATION:

ADOPTION at 1/21/2004 City Council meeting pursuant to the 1/5/2004 Recommending Committee.

First Reading – 12/17/2003; First Publication – 1/9/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/21/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-1 – Annexation No. ANX-3344 – Property location: On the west side of Ferrell Street, 200 feet south of Holly Avenue; Petitioned by: Holly Ferrell, LLC; Acreage: 1.50 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Ferrell Street, 200 feet south of Holly Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 13, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-1 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/20/2004 Recommending Committee

1/21/2004 Council Agenda

(11:56 – 11:58)

2-3169

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2004-2 – Adopts as the City's Fire Code the NFPA 1, Uniform Fire Code, 2003 Edition, together with a Supplemental Document pertaining thereto. Proposed by: David L. Washington, Chief, Department of Fire and Rescue

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill will adopt as the City's Fire Code the NFPA 1, Uniform Fire Code, 2003 Edition, together with a Supplemental Document pertaining thereto. This code, promulgated by the National Fire Protection Association, will replace the 1997 Edition of the Uniform Fire Code, promulgated by the International Fire Code Institute, together with certain of its appendices and a corresponding Supplemental Document.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-2

MOTION:**None required.****MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/20/2004 Recommending Committee

1/21/2004 Council Agenda

(11:56 – 11:58)

2-3169

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. Z-2004-1 – Amends the City’s Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will amend the zoning map to change the zoning designations of approximately 900 parcels. The rezoning of these parcels has already been approved by the City Council. This bill merely formalizes the rezoning by ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

[BACKUP DOCUMENTATION:](#)

Bill No. Z-2004-1

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/20/2004 Recommending Committee

1/21/2004 Council Agenda

(11:56 – 11:58)

2-3169

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. Z-2004-2 – Amends the City’s Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will amend the zoning map to change the zoning designations of approximately 3,600 parcels. The rezoning of these parcels has already been approved by the City Council. This bill merely formalizes the rezoning by ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

[BACKUP DOCUMENTATION:](#)

Bill No. Z-2004-2

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/20/2004 Recommending Committee

1/21/2004 Council Agenda

(11:56 – 11:58)

2-3169

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-3 – Adjusts the qualifications for membership on the Child Care Licensing Board.
Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Presently, the membership of the Child Care Licensing Board must include at least one but not more than two members who have a present or past affiliation with the child care industry. This bill will amend the current ordinance to provide that at least one but not more than three members must be current owners or operators of licensed facilities. The bill provides for continuity and flexibility regarding the situation where a board member currently affiliated with the industry no longer has that affiliation.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-3

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

1/20/2004 Recommending Committee

1/21/2004 Council Agenda

(11:56 – 11:58)

2-3169

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

NOTE: COUNCILMAN MACK disclosed that the billboard referenced in Item 108 [SUP-3266] is in the vicinity of a SuperPawn, for which he has a consulting agreement, but he feels this will not have an effect on his vote and therefore will be voting.

MINUTES:

COUNCILMAN MACK indicated that he was reluctant to grant the abeyance request for Item 89 [MOD-3069] and Item 90 [SDR-3072], but after speaking with the applicant's attorney it was brought to his attention that there might be another 10 acres that might be incorporated into this development. In order to work with the applicants and the neighbors, he would honor the request.

COUNCILMAN BROWN commented that the applicant requested the abeyance of Item 113 [ZON-2457] and Item 114 [SDR-2458] in order to meet with the neighbors. Secondly, there is a potential for a special use permit to be tied into the zoning so that they can be heard together. The two parcels are very different even though the applicant is asking for the same zoning. He cautioned the applicant that the existing signage insinuates that the zoning has already been granted.

TODD FARLOW, 240 North 19th Street, asked that Item 103 [SUP-3628] be heard today.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ, ACTING** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 2208 Fairfield Ave. PROPERTY OWNERS: MOONGLOW L L C – Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount:** 19,435.00☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired CamAir to perform an asbestos survey, and Goldie, Inc. to abate the problem. The subject property was corrected by demolishing the structure, removing all trash, debris, and high/dry vegetation; and by posting “No Trespassing/Dumping” signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$19,435.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on

CITY COUNCIL MEETING OF JANUARY 7, 2004
Neighborhood Services Department
Item 74 – 2208 Fairfield Avenue

MOTION Continued:

Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

MINUTES:

There was no discussion.

(1:43 – 1:49)

4-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ,
ACTING

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 4550 E. Washington Ave. PROPERTY OWNERS: ASSISTED LIVING CENTER, ET AL - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

Amount: \$43,089.35

☒

Budget Funds Available

Dept./Division: Neighborhood Services/Response

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired K O Construction, Inc. to abate the problem. The subject property was corrected by demolishing the structure; removing all trash and debris; and by posting "No Trespassing/Dumping" signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$43,089.35 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video Shown but not submitted

MOTION:

REESE – APPROVED the action of Neighborhood Services – UNANIMOUS

CITY COUNCIL MEETING OF JANUARY 7, 2004
Neighborhood Services Department
Item 75 – 4550 East Washington Avenue

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVE SEMENZA, Neighborhood Services Department, reported that the Department of Neighborhood Services declared the property at 4550 E. Washington a public hazard and a nuisance, which was in violation. The owner of the property was properly noticed. The fire completely destroyed the property. The owner of the property allowed the department to take bids to have the structure destroyed and the property cleaned. KO Construction was the low bidder on the project. The violations were corrected by demolition and posting of No Trespassing signs. The recommendation is for approval of the Report of Expenses in the amount of \$43,089.35 in order that the above charges are filed against the property, constituting a Special Assessment and Lien and authorizing Notice of Lien and Assessment to be duly recorded with the County Treasurer.

COUNCILMAN REESE stated his regret that this project ended up this way because the investors would lose about 8 million dollars.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:50 - 1:52)

4-227

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ,**
ACTING☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 802 Stewart Ave. PROPERTY OWNERS: ABOLFAZL AND DOBRINKA HOSSEINPOUR – Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** 11,373.50☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired Ninyo and Moore to perform an asbestos survey, and Weaver Construction. to abate the problem. The subject property was corrected by demolishing the structure, removing all trash and debris; and by posting “No Trespassing/Dumping” signs on the property.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$11,373.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

MOTION:**WEEKLY – APPROVED the action of Neighborhood Services – UNANIMOUS**

CITY COUNCIL MEETING OF JANUARY 7, 2004
Neighborhood Services Department
Item 76 – 802 Stewart Avenue

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVE SEMENZA, Neighborhood Services Department, reported that following a housing inspection in February, the owner was given a 30-day Vacation Notice. The four units had been turned into six units without building permits. The property was vacated and secured and subsequently there was a fire. Following the fire, the Department of Neighborhood Services declared the property a public hazard and an attractive nuisance. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired Weaver Construction to abate the property. The subject property was demolished the structure and all trash and debris removed, as well as posting No Trespassing signs. MR. SEMENZA recommended the Council approve the report of expenses in the amount of \$11,373.50 in order that the above charges be filed against the property, constituting a Special Lien and Assessment and authorizing Notice of Lien and Assessment, to be duly recorded with the County Treasurer.

TODD FARLOW, 240 North 19th Street, thanked MR. SEMENZA for getting rid of the eyesore.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:52 - 1:53)

4-287

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ,**
ACTING☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Required 30-day review regarding the appeal of the notice to remove the outdoor pay telephone at 6237 Bellota Drive. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Pursuant to Las Vegas Municipal Code 6.58.040G, the outdoor pay phone was deemed a nuisance at a presentation to City Council June 4, 2003 by Metro Police (Item 49). Pay phones in the neighborhood were being used by criminals for illegal activities. A letter was mailed to the licensees on October 30, 2003 requesting removal of the telephone. Today's hearing is the required 30-day review of the December 3, 2003 appeal of the notice to remove the telephone.

RECOMMENDATION:

That the City Council approve the removal of the outdoor pay telephone.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Nuisance Litter Notice and Order to Comply
4. Notice of Appeal
5. Appeal Letter from Property Owner

MOTION:

MACK – DENYING the Appeal; thereby, APPROVING the removal of the outdoor pay phone at 6237 Bellota Drive - UNANIMOUS

CITY COUNCIL MEETING OF JANUARY 7, 2004
Neighborhood Services Department
Item 77 – 6237 Bellota Drive

MINUTES:

DAVE SEMENZA, Neighborhood Services Department, informed the Council that the phone was removed, but the casing was left for possible reconsideration for future reinstallation. It was found to be a nuisance and exists on a property with less than eight units; thereby, constituting an illegal phone. MR. SEMENZA recommended that it not be reinstalled.

OFFICER LANCE LANDHOLM, Northwest Area Command, Metro, indicated that some of the officers sat down with MR. MEDNICOFF but did not come up with a resolution. The phone is on a property with four units, and there is no on-site management. The stipulation for eight units is that there be on-site management. The reason is that when the phone is used to call Metro, an on-site manager can determine whether a response by Metro 911 is necessary.

MAYOR GOODMAN directed OFFICER LANDHOLM to keep up his conversations with MR. MEDNICOFF as he could offer additional information to Metro. OFFICER LANDHOLM informed the Council that there are approximately nine phones in the area that are within two tenths of a mile of this development, which are at businesses that are well-lit and can be easily accessed by the residents of that area.

COUNCILMAN MACK offered his appreciation to Metro and MR. SEMENZA'S efforts in this area.

ILBERT MEDNICOFF, President of Custom Communications, maintained that he has taken this inquiry regarding problem phones beyond these two locations and asked what could be done in an effort to work together. He recounted taking a ride-along with OFFICER FRICKER for the purpose of identifying problem phones. He advised that one was identified, and it was removed. MR. MEDNICOFF maintained that he is a good neighbor and wants to work together with Metro. He stated that this was the first time he had heard that it was illegal to have a payphone in front of a property with four units, as he had been working in the phone business since 1989. MAYOR GOODMAN reiterated that MR. MEDNICOFF is a reasonable gentleman and that the communication should continue. MR. MEDNICOFF concurred. He continued that the payphone can be addressed but there is a contractual issue present. He claimed that the landlord of the complex is party to a contractual agreement and wants the phone to remain, but the manager does not. In turn, the managers complain to Metro and the City. MR. MEDNICOFF recalled one instance where a particular phone was determined to be a problem.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Neighborhood Services Department
Item 77 – 6237 Bellota Drive

MINUTES Continued:

He stated that the joint efforts between himself and Metro to seek out problem phones are ongoing.

COUNCILMAN WEEKLY stated that although he and MR. MEDNICOFF did not see eye to eye on some phones in his district, it was his hope that MR. MEDNICOFF could identify any other problem phones in Ward 5 and advise him.

COUNCILMAN WEEKLY suggested that the communication with him be ongoing because this would alleviate future problems, rather than waiting until the issue comes before City Council. He wished that other payphone operators would conduct themselves in this fashion. At the present time there is an initiative to identify problem pay phones. COUNCILMAN WEEKLY warned that he would not hesitate to vote to remove any problem phones in his Ward. MR. MEDNICOFF explained that he called most of the phone owners together, and they agreed to meet with COUNCILMAN WEEKLY. COUNCILMAN WEEKLY pointed out that there are people on the streets that are suffering with drug issues, which is what some of the phones are used for. COUNCILMAN WEEKLY agreed that MR. MEDNICOFF is providing a service for people that cannot afford a phone, but remarked that some people use it for illegal purposes.

MR. MEDNICOFF reported that he called five apartment owners and three management companies and inquired about their concerns. These concerns centered on the residents that use these phones in low-income areas, and these management companies cannot provide a phone inside the management office for emergencies.

OFFICER FRICKER commented that MR. MEDNICOFF participated in a ride-along in a problem area. OFFICER FRICKER asserted that MR. MEDNICOFF found that Metro was not only concerned with Custom Communications phones but all problem phones, regardless of who owned them. He informed the Council that an additional phone belonging to Nevada Payphone was identified, and MR. MEDNICOFF put Metro in touch with Nevada Payphone, who will possibly remove this phone. MR. MEDNICOFF voluntarily removed a payphone at 800 Fremont Street after talking with some of the business owners in the area about their concerns. OFFICER FRICKER stated that MR. MEDNICOFF will be a good partner and positive things will come.

MAYOR GOODMAN encouraged OFFICER FRICKER to keep up the good work. COUNCILMAN MACK expressed his appreciation to MR. MEDNICOFF and confirmed that it was very evident that phones are put in low-income areas because of the cost of cell phones. Pay phones should be provided in neighborhoods for people who cannot afford cellars. However, pay phones also provide a vehicle for drug trafficking and other criminal activities.

There was no further discussion.

(1:53 – 2:03)

4-345

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ,**
ACTING☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Required 30-day review regarding the appeal of the notice to remove the outdoor pay telephone at 1916 Lirio Way. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Pursuant to Las Vegas Municipal Code 6.58.040G, the outdoor pay phone was deemed a nuisance at a presentation to City Council June 4, 2003 by Metro Police (Item 49). Pay phones in the neighborhood were being used by criminals for illegal activities. A letter was mailed to the licensees on October 30, 2003, requesting removal of the telephone. Today's hearing is the required 30-day review of the December 3, 2003 appeal of the notice to remove the telephone.

RECOMMENDATION:

That the City Council approve the removal of the outdoor pay telephone.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Nuisance/Litter Notice and Order to Comply
4. Notice of Appeal
5. Appeal Letter from Property Owner

MOTION:

MACK – DENYING the Appeal; thereby, APPROVING the removal of the outdoor pay phone at 1916 Lirio Way – UNANIMOUS

MINUTES:

DAVID SEMENZA, Manager of Neighborhood Response, informed the Council that this pay phone existed on a property developed with less than eight residential units and was removed as a nuisance. He gave the recommendation that the phone remain removed.

There was no further discussion.

(2:03 - 2:09)

4-679

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

- EXTENSION OF TIME - VARIANCE
79 EOT-3239 - Big Sky Development on behalf of Grand Canyon Investors, Limited Liability Company
- EXTENSION OF TIME - REZONING
80 EOT-3281 - Owens Star, Limited Liability Company

DISCUSSION/ACTION ITEMS

- REVIEW OF CONDITION - PUBLIC HEARING
81 ABEYANCE ITEM - ROC-3301 - David Lockard
82 ROC-3238 - Astoria Homes on behalf of Astoria Northwest 40, Limited Liability Company
83 ROC-3240 - Astoria Homes on behalf of Astoria Northwest 40, Limited Liability Company
84 ROC-3283 - Razi Investments, Limited Liability Company on behalf of Deer Springs Estates, Limited Liability Company
85 ROC-3286 - Razi Investments, Limited Liability Company on behalf of Deer Springs Estates, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
86 SDR-3191 - George Rainhart Architects on behalf of PP Land, Limited Partnership
87 SDR-3273 - Sunrise Mountainview Hospital, Inc.
88 SDR-3275 - The Animal Foundation on behalf of the City of Las Vegas
- MAJOR MODIFICATION TO THE IRON MOUNTAIN RANCH MASTER PLAN - PUBLIC HEARING
89 ABEYANCE ITEM - MOD-3069 - Signature Homes on behalf of Plaster Development Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3069 - PUBLIC HEARING
90 ABEYANCE ITEM - SDR-3072 - Signature Homes on behalf of Plaster Development Company
- STREET NAME CHANGE - PUBLIC HEARING
91 ABEYANCE ITEM - SNC-3092 - City of Las Vegas

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

INDEX

City Council Meeting of January 7, 2004

- VACATION - PUBLIC HEARING
- 92 **VAC-3264** - RL Homes, Limited Liability Company on behalf of Dark, Limited Liability Company
- 93 **VAC-3282** - Barbara Singleton Trust
- VARIANCE - PUBLIC HEARING
- 94 **VAR-3236** - Cingular Wireless on behalf of Charleston Heights Development Company, Incorporated
- SPECIAL USE PERMIT RELATED TO VAR-3236 - PUBLIC HEARING
- 95 **SUP-3237** - Cingular Wireless on behalf of Charleston Heights Development Company, Incorporated
- VARIANCE - PUBLIC HEARING
- 96 **VAR-3291** - Good Shepard Healthcare on behalf of Nish Investment Company, Limited Liability Company and Fereydoon and Susan Tofigh Trust
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3291 - PUBLIC HEARING
- 97 **SDR-3289** - Good Shepard Healthcare on behalf of Nish Investment Company, Limited Liability Company and Fereydoon and Susan Tofigh Trust
- VARIANCE - PUBLIC HEARING
- 98 **VAR-3360** - Cumorah, Incorporated on behalf of the Van Blankenstein Family 1980 Trust
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3360 - PUBLIC HEARING
- 99 **SDR-3284** - Cumorah, Incorporated on behalf of the Van Blankenstein Family 1980 Trust
- SPECIAL USE PERMIT - PUBLIC HEARING
- 100 **ABEYANCE ITEM - SUP-2904** - Liborio Market on behalf of Triple A, Limited Liability Company
- 101 **ABEYANCE ITEM - SUP-2962** - Koster Finance on behalf of Ceagle Spirit, Limited Liability Company
- 102 **ABEYANCE ITEM - SUP-3114** - Show Media on behalf of Professional Investment Group, Limited Liability Company
- 103 **ABEYANCE ITEM - SUP-3128** - Nora Armenian on behalf of The Koutnouyan Living Trust

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

INDEX

City Council Meeting of January 7, 2004

- SPECIAL USE PERMIT - PUBLIC HEARING
- 104 **ABEYANCE ITEM - SUP-3131** - Rubi Valbuena on behalf of Aner Iglesias Trust, 1997, et al
- 105 **ABEYANCE ITEM - SUP-3152** - Reagan National Advertising on behalf of Noriko Takada Oba Qualified Trust
- 106 **SUP-3254** - Integrity Engineering on behalf of Ronald Reiss Family Trust
- VACATION RELATED TO SUP-3254 - PUBLIC HEARING
- 107 **VAC-3255** - Integrity Engineering on behalf of Ronal Reiss Family Trust
- SPECIAL USE PERMIT - PUBLIC HEARING
- 108 **SUP-3266** - Lamar Outdoor Advertising on behalf of Foster Day Corporation
- 109 **SUP-3268** - Makino Premium Outlet LV, Limited Liability Company on behalf of Simon/Chelsea Las Vegas Development, Limited Liability Company
- 110 **SUP-3269** - Reagan National Advertising on behalf of SDL, Incorporated
- 111 **SUP-3277** - The Church of Jesus Christ of Latter Day Saints on behalf of Cecil M. Johnson
- SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3277 - PUBLIC HEARING
- 112 **SDR-3279** - The Church of Jesus Christ of Latter Day Saints on behalf of Cecil M. Johnson
- REZONING - PUBLIC HEARING
- 113 **ABEYANCE ITEM - ZON-2457** - Donna F. Beam Revocable Trust
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 - PUBLIC HEARING
- 114 **ABEYANCE ITEM - SDR-2458** - Donna F. Beam Revocable Trust
- REZONING - PUBLIC HEARING
- 115 **ABEYANCE ITEM - ZON-3031** - Thomas & Judith Miller
- VARIANCE RELATED TO ZON-3031 - PUBLIC HEARING
- 116 **ABEYANCE ITEM - VAR-3040** - Thomas & Judith Miller
- SPECIAL USE PERMIT RELATED TO ZON-3031 AND VAR-3040 - PUBLIC HEARING
- 117 **ABEYANCE ITEM - SUP-3038** - Thomas & Judith Miller

City of Las Vegas

PLANNING & DEVELOPMENT - Page Four

INDEX

City Council Meeting of January 7, 2004

- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3031, VAR-3040 AND SUP-3038 - PUBLIC HEARING
- 118 **ABEYANCE ITEM - SDR-3035** - Thomas & Judith Miller
- REZONING - PUBLIC HEARING
- 119 **ABEYANCE ITEM - ZON-3138** - Citation Homes on behalf of Carl W. & Ruth Heavin and Desert Mobile Home Park, Limited Liability Company
- 120 **ZON-3143** - Drive Time Automotive Group on behalf of Fremont West, Limited Liability Company
- SPECIAL USE PERMIT RELATED TO ZON-3143 - PUBLIC HEARING
- 121 **SUP-3144** - Drive Time Automotive Group on behalf of Fremont West, Limited Liability Company
- REZONING - PUBLIC HEARING
- 122 **ZON-3219** - Taney Engineering on behalf of Richard & Sherie Koch Living Trust
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3219 - PUBLIC HEARING
- 123 **SDR-3220** - Taney Engineering on behalf of Richard & Sherie Koch Living Trust
- REZONING - PUBLIC HEARING
- 124 **ZON-3256** - The Neon Museum on behalf of the City of Las Vegas
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3256 - PUBLIC HEARING
- 125 **SDR-3257** - The Neon Museum on behalf of the City of Las Vegas
- REZONING - PUBLIC HEARING
- 126 **ZON-3259** - Western U.S. Realty, Limited Liability Company on behalf of Charleston Tower, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3259 - PUBLIC HEARING
- 127 **SDR-3261** - Western U.S. Realty, Limited Liability Company on behalf of Charleston Tower, Limited Liability Company and Lebaron Hotel, Inc.
- VACATION RELATED TO ZON-3259 AND SDR-3261 - PUBLIC HEARING
- 128 **VAC-3056** - Western U.S. Realty, Limited Liability Company on behalf of Lebaron Hotel, Inc.

City of Las Vegas

PLANNING & DEVELOPMENT - Page Five

INDEX

City Council Meeting of January 7, 2004

REZONING - PUBLIC HEARING

129 ZON-3276 - Signature Homes on behalf of Dermody Properties

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3276 - PUBLIC HEARING

130 SDR-3278 - Signature Homes on behalf of Dermody Properties

WAIVER OF TITLE 18 RELATED TO ZON-3276 AND SDR-3278 - PUBLIC HEARING

131 WVR-3355 - Signature Homes on behalf of Dermody Properties

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

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DISCUSSION

SUBJECT:

EXTENSION OF TIME - VARIANCE - EOT-3239 - BIG SKY DEVELOPMENT ON BEHALF OF GRAND CANYON INVESTORS, LIMITED LIABILITY COMPANY - Request for an Extension of Time on an approved Variance (V-0058-02) TO ALLOW FIVE-FOOT WIDE SIDEWALKS WHERE MINIMUM SEVEN-FOOT WIDE SIDEWALKS OR WHEEL STOPS AND/OR CURBING ARE REQUIRED on 18.84 acres adjacent to the east side of Grand Canyon Drive, approximately 1,300 feet north of Grand Teton Drive (APN: 125-07-701-004), R-E (Residence Estates) Zone under Resolution of Intent to PD (Planned Development) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 79 [EOT-3239] and 80 [EOT-3281] subject to conditions – UNANIMOUS with GOODMAN abstaining on Item 79 [EOT-3239] because of a partnership with Kevin Parkinson

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT advised MAYOR GOODMAN that he would need to abstain on Item 79 [EOT-3239] due to a partnership with KEVIN PARKINSON.

There was no further discussion.

(2:06 - 2:09)

4-705

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on October 16, 2005 unless another Extension of Time is approved by the City Council.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 79 – EOT-3239

MINUTES – Continued:

2. Conformance to the conditions of approval for Variance (V-0058-02) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

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DISCUSSION

SUBJECT:

EXTENSION OF TIME - REZONING - EOT-3281 - OWENS STAR, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Rezoning (Z-0057-01) FROM: R-1 (Single Family Residential) TO: C-1 (Limited Commercial) on 3.13 acres adjacent to the southwest corner of Owens Avenue and Sandhill Road (APN: 140-30-102-006), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 79 [EOT-3239] and 80 [EOT-3281] subject to conditions – UNANIMOUS with GOODMAN abstaining on Item 79 [EOT-3239] because of a partnership with Kevin Parkinson

MINUTES:

There was no discussion.

(2:06 - 2:09)

4-705

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 21, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0057-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3301 - DAVID LOCKARD** - Request for a Review of Condition Number 1 of an approved Rezoning (Z-0055-69) which required a 6-foot high decorative block wall along Yale Street on property located at 1101 North Decatur Boulevard (APN: 138-25-617-051), P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions and amending Condition 1 to read as follows:

1. A landscaping plan shall be submitted for review and approval by Planning and Development Department staff to reflect compliance with Title 19.12, including a minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along all right-of-ways. *Landscaping to the west side of the property facing Yale Street and the east side facing Decatur Boulevard shall be installed to meet all code standards within six months* - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

VICKI LOCKARD, 1101 North Decatur, stated that the conditions for this application were established in 1969, and the same conditions would not be required today because a block wall is not required for a commercial property along a right-of-way. There have been no protests by her neighbors. The wall was 34 years old and was seriously deteriorating; thereby, causing a nuisance. The wall provided a place for people to hide, and the previous owner had several

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 81 – ROC-3301

MINUTES – Continued:

break-ins. She further informed the Council that she has invested over \$100,000 in interior and exterior improvements, and the improvements have increased the value of the neighbor's homes. MS. LOCKARD reported that most of the neighbors have unfinished lawns, and the back of the office cannot be distinguished from the homes of the neighbors. She requested that the removal of the wall be approved without additional conditions.

COUNCILWOMAN MONCRIEF responded that she appreciates the improvements made to the property. She clarified that she abeyed the item because she wanted to look at it more specifically, and after having reviewed the property, she felt that it would be inappropriate to construct a block wall to the west of the subject property because it is the only block wall going along the entire block. She added a condition that landscaping be added to the west side of the property facing Yale and the east side facing Decatur according to code standards.

MS. LOCKARD asked if the type of landscaping mattered. COUNCILWOMAN MONCRIEF explained that the type of landscaping would be subject to approval of the Planning and Development Department. MS. LOCKARD asked how long she would have to complete the landscaping.

ROBERT GENZER, Director, Planning and Development Department replied that Condition 1 requires the submission of a Landscaping Plan to Planning and Development Department and that would be required prior to the issuance of building permits. MR. GENZER realized that there would not be any building permits and requested a timeframe be established in which the applicant would need to have the landscaping installed.

COUNCILWOMAN MONCRIEF asked the applicant if six months would be acceptable. MS. LOCKARD agreed and asked if she could contact the Councilwoman's office if there were any questions. COUNCILWOMAN MONCRIEF agreed.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:06 – 2:09)

4-740

CITY COUNCIL MEETING OF JANUARY 7, 2004
Neighborhood Services Department
Item 81 – ROC-3301

CONDITIONS:

1. A landscaping plan shall be submitted for review and approval by Planning and Development Department staff to reflect compliance with Title 19.12, including a minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along all right-of-ways.
2. All mechanical equipment shall be fully screened in views from the abutting streets and neighboring properties
3. The existing retaining wall along the perimeter of the property shall be finished in a decorative material or color.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3238 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [SDR-1769], to allow a building height of three stories or 35 feet where a building height of two stories or 35 feet is required, on 41.21 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to condition – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 82 [ROC-3238] and Item 83 [ROC-3240].

No one appeared in opposition.

ATTORNEY TOM AMICK, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with conditions on Item 82. ATTORNEY AMICK requested a clarification of Condition 1 on Item 83, requiring a minimum of 7 feet to the front of the house. He wanted to clarify that this is actually to the property line, which is back of curb, while the garage setback of 18 feet is to the back of sidewalk.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 82 - ROC-3238

MINUTES - Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, confirmed that was correct.

TODD FARLOW, 240 North 19th Street, felt that the building height requirements needed to be addressed. He also suggested the use of down draft chimneys for sustainable heating and cooling where the air is cooled and brought down. MAYOR GOODMAN pointed out that the proposed project would be an ideal product for downtown urban redevelopment. He suggested that Astoria personnel contact COUNCILWOMAN MONCRIEF and COUNCILMEN WEEKLY and REESE as to properties that are available in their particular Wards because this could be beneficial in the urban area. ATTORNEY AMICK replied that he would be happy to do that.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 82 and Item 83.

NOTE: All related discussion for Item 82 [ROC-3238] and Item 83 [ROC-3240] was held under Item 82 [ROC-3238]

(2:09 - 2:10)
4-865

CONDITIONS:

Planning and Development

1. Revise Condition No. 3 of SDR-1769 to read as follows:
 3. The standards for this development shall include the following: minimum distance between buildings of 6.5 feet, and building height shall not exceed three stories or 35 feet, which ever is less. Development may occur in accordance with any waivers that have been granted with respect to this application, which include a waiver to amend the street section of Farm Road, a waiver of minimum sidewalk widths and a waiver of the tandem parking restriction for single-family development in Title 19. Sidewalks with a width of four feet shall be completely clear of all above-ground appurtenances.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3240 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 4 of an approved Site Development Plan Review [SDR-1769], to allow 18-foot setbacks to the front of the garage as measured from the back of sidewalk or from back of curb where no sidewalk is provided for lots 294 to 396 and 418 to 489 (179 lots) where a 20-foot setback is required on 41.26 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to condition – UNANIMOUS

MINUTES:

See Item 82 [ROC-3238] for all related discussion.

(2:10 - 2:14)
4-865

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 83 - ROC 3240

CONDITIONS:

Planning and Development

1. Revise Condition No. 4 of SDR-1769 to read as follows:
4. The setbacks for this development shall be:
 - Product 1 - a minimum of 7 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3.25 feet on the side, and 3 feet in the rear;
 - Product 2 (8-unit cluster) - a minimum of 3.5 feet to the front of the house, 2.5 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side; and
 - Product 3 (6-unit cluster) - a minimum of 3 feet to the front of the house, 2 feet to the front of the garage as measured from the common lot containing the shared private drive (rear of lot), and 3.25 feet on the side.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3283 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 3 of an approved Rezoning (ZON-2436) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) is forwarding this item with NO RECOMMENDATION. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) is forwarding this item with NO RECOMMENDATION. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearings open on Item 84 [ROC-3283] and Item 85 [ROC-3286].

ATTORNEY PAUL LARSEN, 300 South 4th Street, appeared on behalf of the applicant. ATTORNEY LARSEN reminded the Council that the site plan was previously approved. However, in doing so, a specific condition regarding lot size was not addressed. That condition stated that lot sizes be a minimum of 11,000 square feet. This is a housekeeping item.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 84 - ROC-3283

MINUTES - Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 84 [ROC-3283] and Item 85 [ROC-3286] was held under Item 84 [ROC-3282]

(2:14 - 2:15)

4-996

CONDITIONS:

Planning and Development

1. Condition Number 3 shall be removed from the approval of Rezoning (ZON-2436).
2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3286 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Site Development Plan Review (SDR-2437) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) is forwarding this item with NO RECOMMENDATION. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) is forwarding this item with NO RECOMMENDATION. Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

See Item 84 [ROC-3283] for all related discussion.

(2:14 - 2:15)

4-996

CONDITIONS:

Planning and Development

1. Condition Number 3 shall be removed from the approval of Site Development Plan Review (SDR-2437).
2. Conformance to all other Conditions of Approval for Rezoning (ZON-2436) and Site Development Plan Review (SDR-2437).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3191 - GEORGE RAINHART ARCHITECTS ON BEHALF OF PP LAND, LIMITED PARTNERSHIP -
 Request for a Site Development Plan Review and a Waiver of build-to-street standards of the Town Center Development Standards FOR A 23,320 SQUARE FOOT COMMERCIAL BUILDING on 4.91 acres at the north corner of Durango Drive and El Capitan Way (APN: 125-17-601-011), T-C (Town Center) [SC-TC (Service Commercial – Town Center) land use designation, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Revised Diagrams submitted by Planning and Development

MOTION:

MACK – APPROVED subject to conditions and amending Condition 3 as follows:

3. A revised landscaping plan that shows the proper amount and location of trees in the buffer along the streets shall be submitted to the Planning and Development Department prior to the issuance of building permits. *A two-foot tall decorative screen wall atop a three-foot tall berm shall be incorporated in the landscape planter, adjacent to both El Capitan and Durango at the length of Pad A.*

and adding the following condition :

- *Approval is based on upgraded building elevations and landscape plans dated December of 2003.*
- *The wall on the north property line be a decorative eight-foot wall, based on whichever side has the higher elevation.*

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 86 – SDR-3191

MINUTES – Continued:

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared together with GEORGE RAINHART. ATTORNEY LAZOVICH presented the site plan and stated that the project will be located at the corner of Durango Drive and El Capitan Way. The waiver is specifically for the Walgreens. The Walgreens building is situated in a way that is best from a circulation standpoint because there is a drive-through for prescription medicine, and also from a grade difference. There is a grade difference that falls seven feet. It is not feasible for Walgreens to pull it forward up to the streets. However, the applicant does understand the Town Center Development Standards require that the buildings be pulled up to the street frontage in order to increase pedestrian friendly activity, as well as screen the parking lot lights that typically would be seen from the street.

ATTORNEY LAZOVICH indicated that to mitigate the variance request they will custom design the building in this particular location. Enhanced tile features will be placed around the tops of the buildings, as well as around the bottoms of the buildings. Secondly, to eliminate the view of the cars in the parking lot when walking or driving down the street, a three-foot berm will be placed around the edge with a two-foot screen wall on top. Only the top of the building, which is the most attractive feature, will be seen.

SUSAN BALAZ, 8589 Blowing Pines, was concerned about the placement of the parking lot. She is afraid that someone might climb over her back wall. She asked if the wall would be a decorative block wall. When she first bought her home she was told that there has to be a gap between her back wall and the 10-foot wall. She indicated that other businesses in the area with walls have a gap of about eight to 10 feet between the business and the wall. She asked about the delivery hours and if the truck engine will remain idling. Her bedroom faces the parking lot. She is concerned that a 24-hour business would bring crime into the area. Currently, the only store open 24 hours is Albertson's Express.

ROBERT GENZER, Director, Planning and Development Department, replied that the code requires that the six-foot requirement would be taken from whichever side of the property has the higher finished grade. Therefore, if the commercial side is in fact a higher elevation, the wall would have to be six-feet from that side, which could result in a taller wall from the residential side. The code also allows up to an eight-foot high wall without coming in for a variance.

JOE BORO, 8585 Blowing Pines Drive, expressed concern about his privacy. From his backyard he can see a 10-foot tall wall, but at the end of the backyard there is a five-foot embankment making it easy to see over the wall.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 86 – SDR-3191

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, was pleased with the elevations and the placement of the building.

ATTORNEY LAZOVICH agreed with MR. GENZER'S comments regarding the wall. She would be happy to get the names and telephone numbers of those neighbors who expressed concern about the wall, as this is the first time she heard of this concern. The idea was to pull the building away from the residents. Additionally, the intent is that the few parking spaces along the back wall are designed to be for employees because there is no storage back there. All the stores and activity are pulled up toward the major street of El Capitan Way and Durango Drive.

COUNCILMAN MACK stated that when the application first came forward the Walgreens looked atypical, but at his request the elevations were changed, making a nice entry point to the area. He does not like to deviate from the Town Center Standards and buildings are usually pushed all the way to the front. In Centennial Center and certain areas of Town Center the back of the buildings do not necessarily look best when facing the corners. The intent is to have that big ocean of pavement and parking in one big strip center. In this particular case, this is an odd shaped lot and it makes sense to adhere to this request to push the building back. He was pleased that the applicant will adhere to Town Center aesthetics and designs.

COUNCILMAN MACK discussed with MR. RAINHART that the existing wall is a decorative slump block wall as only three two-story buildings that actually have windows can be seen when someone stands on the site. They are sensitive to the neighbors, which is the reason why they are pulling active parking away from the neighbors. If something needs to be added to that wall, they will certainly be willing to look at that to protect specific points.

COUNCILMAN MACK asked the applicant to work with the neighbors and staff, if a decorative eight-foot wall needs to be done. He asked if there is to be a breezeway between their wall and the new wall. ATTORNEY LAZOVICH replied that the intent was to use the existing block wall, but if that is not sufficient, then they would make sure that there will not be a breezeway.

MR. RAINHART discussed with COUNCILMAN MACK that Walgreens typically has one large truck a week, smaller trucks during the day. Deliveries are scheduled at non-peak hours, relatively early in the morning, but not during the night. COUNCILMAN MACK asked that this

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 86 – SDR-3191

MINUTES – Continued:

particular Walgreens be sensitive to the neighbors and asked the neighbors to keep him informed of the deliveries, if they should become a concern. Regarding the 24 hours, he understands that Walgreens provides that service, but he would prefer not being 24 hours. MR. RAINHART noted that he is not certain this Walgreens will be 24 hours. Usually, those on the periphery of the City are not 24 hours.

COUNCILMAN MACK requested that a sentence be added to Condition #3 that a two-foot tall decorative screen wall atop a three-foot tall berm shall be incorporated in the landscape planter adjacent to both El Capitan and Durango at the length of Pad A. Also, he added a condition that the approval is based on upgraded building elevations and landscape plans dated December of 2003.

MR. GENZER suggested that a specific condition be added that the wall on the north property line be at a height of eight feet, based on whichever side has the higher elevation, and that it be decorative. Staff will work with the applicant. Obviously, in order to raise the existing wall, there is going to have to be a survey done by the Building Department to determine whether or not the wall has sufficient strength to hold an additional couple of feet. It will either have to be that way or an additional wall will have to be built and how it is restricted in-between dealt with then. ATTORNEY LAZOVICH concurred with the amended and added conditions.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:15 - 2:30)

4-1070

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Trash enclosures shall be covered and screened as required by the Commercial Design Standards. Enclosures shall be located to be a minimum of 50 feet from the residential zone to north.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 86 – SDR-3191

CONDITIONS – Continued:

3. A revised landscaping plan that shows the proper amount and location of trees in the buffer along the streets shall be submitted to the Planning and Development Department prior to the issuance of building permits.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. Prior to issuance of building permits, the proposed signage will have to be submitted to and approved by the Centennial Hills Architectural Review Committee.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Dedicate additional rights-of-way per Standard Drawing #201.1 prior to or concurrent with the commencement of on-site development activities as required by the Traffic Engineer.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 86 – SDR-3191

CONDITIONS – Continued:

13. Construct all incomplete half-street improvements on El Capitan Way and Durango Drive adjacent to this site concurrent with development of this site. Also, construct appropriate on-site paving to provide for two-way vehicular traffic through this site concurrent with development of this site.
14. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
17. Extend public sewer in Durango Drive to the southern edge of this site. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
18. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.
19. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 86 – SDR-3191

CONDITIONS – Continued:

21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3273 - SUNRISE MOUNTAINVIEW HOSPITAL, INC.** - Request for a Site Development Plan Review FOR A PROPOSED 220,000 SQUARE-FOOT, FOUR-STORY PARKING STRUCTURE on 28.10 acres adjacent to the southeast corner of Tenaya Way and Cheyenne Avenue (APN: 138-15-510-005), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MARK HOWARD, Administrator, MountainView Hospital, 3100 North Tenaya Way, appearing for the applicant, explained that occupancy of the hospital is at 93 percent, and the hospital needs additional beds, but cannot put the beds in until the parking issue is addressed.

TODD FARLOW, 240 North 19th Street, added that when the elevations are viewed there are many horizontal lines, which need to be broken up.

MAYOR GOODMAN told of a time when he was called to assist some people who had respiratory problems and they had difficulty getting to the building from where the cars were parked. This was brought to the attention of the hospital and it was rectified right away. MAYOR GOODMAN inquired whether people with respiratory problems were being considered with parking near their treatment.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 87 - SDR-3273

MINUTES - Continued:

MR. HOWARD assured MAYOR GOODMAN that this problem had been anticipated and an entire parking lot had been changed to handicapped parking to accommodate these types of patients. The applicant agreed with all conditions.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:30 - 2:32)

4-1618

CONDITIONS:

Planning and Development

1. The site plan shall be revised and approved by Planning and Development Department, prior to the time application is made for a building permit, to reflect the relocation of handicap accessible parking spaces to the area currently utilized as valet parking. The existing 64 valet parking spaces may be relocated to another portion of the parking lot located in a less utilized, low turnover area further from the main entrance of the hospital and medical office building.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The proposed building material finish and color scheme shall match the existing buildings on-site.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 87 - SDR-3273

CONDITIONS - Continued:

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate an additional 10 feet of right-of-way and radii as appropriate along Cheyenne Avenue.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 87 - SDR-3273

CONDITIONS- Continued:

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-68-85 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3275 - THE ANIMAL FOUNDATION ON BEHALF OF THE CITY OF LAS VEGAS** - Request for a Site Development Plan Review FOR A PROPOSED ANIMAL SHELTER AND VETERINARY COMPLEX on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road (APN: 139-25-801-002 and 003; 139-25-405-007), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/4/2003 Planning Commission meeting Item 44

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RANDY SPITZMESSER, Tate Snyder Kimsey Architects, appeared on behalf of the applicant and agreed with all conditions. COUNCILMAN REESE offered that it had been a pleasure to work with the Animal Shelter on this addition. The entire corridor is being redeveloped in a positive manner. The Girl Scouts and the fire station are across the street, and this is a plus to the area.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 88 - SDR-3275

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect trash enclosures with roofs.
4. One monument sign is permitted along the Harris Street frontage, with a minimum setback of five feet.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum eight-foot wide planter on the north side of Harris Street that contains 24-inch box trees planted a maximum of 20 feet on-center. Parking lot landscape islands shall be depicted in the lot on the north side of Harris Street. A minimum of four five-gallon shrubs shall be reflected for each 36-inch or 24-inch box tree within provided planters on both the north and south side of Harris Street. The plan shall also reflect 24-inch box trees of a type that will not interfere with the operation of solar power equipment, planted a minimum of 20 feet on center along the west property line.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 88 - SDR-3275

CONDITIONS - Continued:

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
16. Construct half-street improvements on Harris Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 88 - SDR-3275

CONDITIONS - Continued:

19. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
20. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - MAJOR MODIFICATION TO THE IRON MOUNTAIN RANCH MASTER PLAN - PUBLIC HEARING - **MOD-3069** - **SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY** - Request for a Major Modification to the Iron Mountain Ranch Master Plan (Planned Area 16 and Section 2.3.2) TO ALLOW 14,000 SQUARE FOOT MINIMUM LOT SIZES WHERE 20,000 SQUARE FOOT IS THE MINIMUM ALLOWED on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Kummer Kaempfer Bonner & Renshaw for Item 89 [MOD-3069] and Item 90 [SDR-3072] filed under Item 89 [MOD-3069]

MOTION:

REESE - Motion to **STRIKE** Item 74 [2208 Fairfield Avenue]; **ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE** of Item 108 [SUP-3266]; **TABLE** Item 110 [SUP-3269]; **HOLD IN ABEYANCE** Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with **MAYOR GOODMAN** abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and **COUNCILWOMAN MONCRIEF** abstaining on Item 74 [2208 Fairfield Avenue] because **BOB STUPAK**, who is a close personal friend, owns the property

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 89 - MOD-3069

MINUTES:

COUNCILMAN MACK indicated that he was reluctant to grant the abeyance request for Item 89 [MOD-3069] and Item 90 [SDR-2458], but after speaking with the applicant's attorney it was brought to his attention that there is another 10 acres that might be incorporated into this development. In order to work with the applicants and the neighbors, he would honor the request.

There was no further discussion.

(1:43 - 1:49)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3069 - PUBLIC HEARING - **SDR-3072 - SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 18 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Kummer Kaempfer Bonner & Renshaw for Item 89 [MOD-3069] and Item 90 [SDR-3072] filed under Item 89 [MOD-3069]

MOTION:

REESE - Motion to **STRIKE** Item 74 [2208 Fairfield Avenue]; **ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE** of Item 108 [SUP-3266]; **TABLE** Item 110 [SUP-3269]; **HOLD IN ABEYANCE** Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with **MAYOR GOODMAN** abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and **COUNCILWOMAN MONCRIEF** abstaining on Item 74 [2208 Fairfield Avenue] because **BOB STUPAK**, who is a close personal friend, owns the property

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 90 - SDR-3072

MINUTES:

COUNCILMAN MACK indicated that he was reluctant to grant the abeyance request for Item 89 [MOD-3069] and Item 909 [SDR-2458], but after speaking with the applicant's attorney it was brought to his attention that there might be another 10 acres that might be incorporated into this development. In order to work with the applicants and the neighbors, he would honor the request.

There was no further discussion.

(1:43 - 1:49)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - STREET NAME CHANGE - PUBLIC HEARING - **SNC-3092** - **CITY OF LAS VEGAS** - Request to rename certain public streets between Tropical Parkway on the south and Grand Teton Drive on the north, and between El Capitan Way on the west and Durango Drive on the east, to accommodate the revised alignment of Durango Drive incorporating the "S-Curve" between Tropical Parkway and Centennial Parkway, and to maintain continuity of street names across intersections, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

MACK – APPROVED Directing the City to place brown, historical name signs reading “Old Durango” near the southwest corners of Centennial/Grand Montecito Parkway and Durango/Grand Montecito Parkway - **UNANIMOUS**

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

Attorney J.T. Moran III, 630 South 4th Street appeared on behalf of a landowner in the subject area. He informed the Council that he has been working with staff and that he and his client, MS. BARTSAS, were invited to COUNCILMAN MACK’S office. He expressed concern about this name change and how the property may be devalued by changing the name from Durango, with the notoriety attached to the name Durango. ATTORNEY MORAN suggested that the name be supplemented with something different like Grand Montecito Parkway. ATTORNEY MORAN informed the Council that his client, MS. BARTSAS owns the 37-acre parcel located on the southeast corner of what was formerly known as Durango and is currently known as

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 91 - SNC-3092

MINUTES - Continued:

Centennial. He opined that COUNCILMAN MACK had an idea to place historic signage on MS. BARTSAS' property, in order not to take the notoriety attached to Durango away from that particular location. ATTORNEY MORAN suggested that instead of renaming the road with Old Durango only, have an Old and New Durango in the realignment.

TODD FARLOW, 240 North 19th Street, did not feel that the street name should be changed unless everybody is in favor of it because of economic factors. COUNCILMAN MACK stated that he met with ATTORNEY MORAN and MS. BARTSAS and indicated there was a concern about Old Durango and New Durango from a public safety standpoint, Fire or Police. But he did honor the request and came up with a solution that he believes would satisfy everyone. Actually, plagiarizing something that Councilman Weekly did in his ward, where some of the lettered streets were renamed, i.e. "H" Street. Therefore, he made a motion for approval and requested that the City place brown historic name signs reading Old Durango near the southwest corners of Centennial/Grand Montecito Parkway and Durango/Grand Montecito Parkway.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:34 - 2:38)

4-1782

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-3264 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF DARK, LIMITED LIABILITY COMPANY - Request to Vacate a BLM Roadway Easement generally located adjacent to the north side of the Alexander Road alignment, 350 feet west of Vegas Vista Trail, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN - APPROVED subject to conditions and amending Condition 2 to read as follows:

2. Prior to the recordation of an *Order of Vacation* all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas

and reversing the order of Conditions 3 and 4 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, was present representing the applicant and agreed with conditions.

ROBERT GENZER, Director, Planning and Development Department, indicated that the order of Conditions 3 and 4 need to be reversed on the final letter.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 92 - VAC-3264

MINUTES - Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:38 - 2:40)

4-1970

CONDITIONS:

1. This application shall vacate the northerly most 10-feet of the Alexander Road alignment.
2. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-3282 - BARBARA SINGLETON TRUST -
Petition to Vacate a portion of Lisa Lane between La Madre Way and Washburn Road, Ward 6
(Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant, BARBARA SINGLETON, 8300 West La Madre Way, was present and agreed with conditions.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:38 - 2:40)

4-1970

CONDITIONS:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 93 - VAC-3282

CONDITIONS - Continued:

2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. The Order of Vacation shall not be recorded until all conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-3236 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED - Appeal filed by Cingular Wireless from the Denial by the Planning Commission of a Request for a Variance TO ALLOW A 190-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 219 FEET AND TO ALLOW A REAR YARD SETBACK OF 12 FEET WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED for a proposed 73-Foot Tall Slim-line Wireless Communication Facility (Non-Stealth) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Cingular Wireless

MOTION:

MACK – Granted the Appeal, thereby APPROVING the Variance subject to condition – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that he is a consultant for a SuperPawn owned by his brother, STEVEN MACK. He has not discussed this project with him, believes it will not have any impact on his business or the store and will be voting on Items 94 and 95.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 94 [VAR-3236] and Item 95 [SUP-3237].

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 94 - VAC-3264

MINUTES - Continued:

KATHERINE ENGLE, Cingular Wireless, 1211 Town Center Drive, appeared on behalf of the applicant and agreed with conditions. MS. ENGLE stated that staff is recommending changing from a slimline to a monopalm or imitation palm.

COUNCILMAN MACK expressed that when he was first made aware of the site, he questioned why the applicant did not negotiate with the other companies with billboards in this immediate area to consolidate these signs. At that time MS. ENGLE informed him that they had tried but to no avail because the small amount of money involved would not justify their counsel's time for review of the matter. With that in mind the other solution of the monopalm was strongly considered.

TODD FARLOW, 240 North 19th Street, opposed the request stating that the tower could be placed on existing billboards.

AL GALLEGOS, citizen of Las Vegas, stated that he would go out and look at the palm tree to see if it is appropriate.

COUNCILWOMAN McDONALD informed that on Rampart Boulevard these types of cell towers have been approved and look just like palm trees.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 94 [VAR-3236] and Item 95 [SUP-3237].

(2:42 - 2:47)

4-2079

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO VAR-3236 - PUBLIC HEARING - SUP-3237 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED - Appeal filed by Cingular Wireless from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 73-FOOT TALL SLIM-LINE WIRELESS COMMUNICATION FACILITY (NON-STEALTH) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission 5-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Cingular Wireless

MOTION:

MACK - APPROVED subject to conditions and modifying Condition 1 to read as follows:

1. *The cell tower design shall be modified to reflect a palm tree design subject to the approval of Planning and Development Department. - UNANIMOUS*

NOTE: COUNCILMAN MACK disclosed that his brother, STEVEN MACK, owns a SuperPawn in the vicinity. He has not discussed this project with him, it will not have any impact on his business or the store and will be voting on Items 94 and 95.

MINUTES:

NOTE: See Item 94 [VAR-3236] for all related discussion.

(2:42 - 2:47)

4-2079

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 95 - SUP-3237

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Wireless Communication Facility, Non-Stealth Design use.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-3236).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-3291 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST - Request for a Variance to allow 84 parking spaces where 115 parking spaces are required and to allow a 66-foot setback where Residential Adjacency Standards require a 75-foot setback FOR A PROPOSED TWO-STORY, 20,410 SQUARE FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – 7 protest letters
5. Submitted after final agenda –Protest letter from Dennis & Shirley Newberry for Items 96 [VAR-3291] and 97 [SDR-3289] filed under Item 96 [VAR-3291]
6. Submitted after meeting – protest letter from Christopher Allen
7. Back up referenced from the 12/4/2003 Planning Commission meeting Item 25

MOTION:

MONCRIEF – APPROVED subject to conditions and adding the following conditions:

- *To provide a minimum of 90 parking spaces where 115 are required.*
- *A one-year review regarding the parking shall commence at the time of the Certificate of Occupancy. At the end of one year, if parking has proven to be an issue, the applicant shall meet with the Planning and Development Department to discuss alternatives, which shall be set for review at City Council.*

Motion carried with GOODMAN, BROWN and MACK voting no

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 96 - VAR-3291

MOTION - Continued:

NOTE: COUNCILWOMAN MONCRIEF disclosed that LEO DURANT, not the applicant but the General Contractor for the project, is a social friend but MR. DURANT has not lobbied her in any way regarding support on this project, and she feels comfortable voting.

MAYOR GOODMAN disclosed that he and ATTORNEY MICHAEL SINGER were law partners approximately 15 years ago, but he does not believe that they have any kind of business relationship or any co-ownership in any property. Additionally, he disclosed that he and MR. KAPLAN were business partners approximately 32 years ago, but he believes he has no reason to abstain. DEPUTY CITY ATTORNEY BRYAN SCOTT concurred.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 96 [VAR-3291] and Item 97 [SDR-3289].

ATTORNEY MICHAEL SINGER, 520 S. 4th Street, was present and appeared with the developer MICHAEL KAPLAN. ATTORNEY SINGER stated that the design has been reconfigured so that there are 90 spaces instead of the initial 84 presented to the Planning Commission. He showed pictures of the existing property and the surrounding area. On the other side of Cahlan Drive, the slope of the street is five feet higher than the proposed project. The building will be at an approximate cost of \$3,000,000. ATTORNEY SINGER pointed out that the building is a first class building, and compatible with the neighborhood. It will be primarily for a physical therapy center treating Medicare patients. Approximately 50 percent of the building will be owner/user occupied. The setbacks are less than what is required by code. He added that the landscaping would consist of mature trees, which will be an enhancement to the neighborhood in contrast to what is there.

CHRISTOPHER ALLEN, 1125 Cahlan Drive, informed the Council that his property borders the proposed building site. His concern is the entrance and exit onto Cahlan Drive that will change the complexion of the neighborhood. He is concerned about his investment of \$100,000 into his property, and brought up that the increase in traffic and the lighting will invade his privacy. He does not support this application.

KEVIN EFROYMSON, 2901 Ashby Avenue, was in opposition to the variance and the site development plan and insisted that there was a prior commitment that there would be no two-story buildings on the parcel at the southside of Charleston Boulevard between Rancho and Valley View because it backed up to Ashby. His office is located at 2915 Ashby and when this building was built, the builder asked for a two-story building, and it was denied.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 96 - VAR-3291

MINUTES - Continued:

The second point MR. EFROYMSON discussed was with regard to the high density on a one-acre lot. He continued that decreasing the amount of parking spaces from 115 to 84 is not justified. He explained that there would be a parking problem on Cahlan Drive. This is a 20,000 square foot building on one acre. He remembered that from the time his children were raised, Cahlan Drive has been a major thoroughfare for children to go to school at Our Lady of Las Vegas and Howard Wasden Elementary Schools, both on the north side of Charleston. The property has an exit onto Charleston, which would be eliminated by the plan.

MR. EFROYMSON indicated that NDOT has denied access to Charleston Boulevard in light of the proposed Site Development Plan and pushing the traffic onto Cahlan Drive is not justified. He further opined that if a two-story building is needed to make the project economically feasible, the builder should build somewhere else because they are bound by the requirements of the zoning.

MARA MESERVY, 2718 Mason Avenue, used the Balle Center as an example of what works on that corner, and another example of what does not work, Campbell Court, a medical building, on the corner of Campbell and Charleston. She opined that the building was done wrong because it is two-story and it allowed access to Campbell, and it does not have enough parking. She pointed out that when she visits her eye doctor, she must park on Campbell. MS. MESERVY further offered that she could not allow her children to walk on Campbell, even with a crosswalk. Her recommendation would be if the builder wants a two-story building then they need to sink the building. There cannot be an entrance and exit in the same place. She maintained that this is a well-kept neighborhood. She is concerned about the rat infestation and fears that the homes will be devalued because of this project. MAYOR GOODMAN was privy to the rat problem and assured that there were no indications of disease in the rats.

BOB APPLE, 1405 Strong Drive opined that this project is too large for the parcel, and stated that it would be foolish to allow traffic to go in on Cahlan. He recalled that there was an attempt to open a driveway onto Campbell that was voted down by Council. The average lot in this neighborhood range between a quarter of an acre to over an acre, and this project is inappropriate for this historic neighborhood. On Cahlan there is no traffic control device and it would be inappropriate to put a traffic signal there. There will be the same hazards and traffic problems as on Charleston in terms of people coming out of this project trying to turn left to go west or trying to turn right. This will increase traffic accidents.

FRANK PERONE, 120 Shadow Lane, represented that he is a crossing guard for the Howard Wasden Elementary School and felt the increased traffic will endanger the children. He asked that the City Council deny this application.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 96 - VAR-3291

MINUTES - Continued:

TODD FARLOW, 240 North 19th Street, pointed out that the project could not be developed unless a turn lane could be put on Charleston Boulevard.

BART ANDERSON, Public Works Department, replied that the Traffic Department has had discussions with NDOT, and the representative for NDOT was very “cool” to the idea of a driveway and said that they would consider a Site Plan with a proposal out to Charleston. However, NDOT believes a driveway was a little close to existing driveways. MR. ANDERSON reiterated that a main objective of NDOT is to eliminate driveways out on to Charleston Boulevard.

ATTORNEY SINGER indicated that the building would only be 25 feet high. The actual height of the building itself is only 20 feet. The additional 4 feet is the parapet used to obscure the heating and air conditioning units and the building is going five feet down. With respect to the site lines, the trees that would be in the back and with the building being set to the front of Charleston Boulevard, the neighbors would not see the top of the building. The building in the vicinity is taller because of the slope from east to west.

ATTORNEY SINGER, regarding the parking, stated that the nature of the tenancy of the building will not require the typical parking because of the physical rehab center, which would occupy 50 percent of the building. Approximately 80 percent of its patients get delivered to the site by van, as they are Medicare patients. Of 50 percent of patients, only four would be driving. The other owners of the building will have about six employees so there would not be any invitees; as a result, he believes 90 parking spaces would be enough. The applicant suggested that there be a one-year review to determine if the parking is a problem and added that they agree with all the conditions. He reported that one of the conditions set forth addresses the ingress and egress from the site. NDOT has agreed to an emergency exit on Charleston Boulevard only. This would provide a proper flow for an emergency vehicle for any project built here.

MR. KAPLAN clarified that since there is no access to Charleston Boulevard, the only way to get there will be off of Cahlan Drive. He further clarified that the building would be sunken. Since there would only be about eight to 12 patients brought in the facility within a two-hour block of time by courtesy vehicles, there will not be a lot of parking needed for this building.

COUNCILWOMAN MONCRIEF acknowledged the concerns of the neighbors and asked ATTORNEY SINGER how many parking spots the project was short at present. ATTORNEY SINGER replied that 115 are needed, and there are presently 90 depending on the classification of the building. If it is classified as a medical clinic, the amount of spaces is adequate.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 96 - VAR-3291

MINUTES - Continued:

COUNCILWOMAN MONCRIEF questioned what percentage of patients would be driving to the site and inquired as to how lighting issues in the back yard could be resolved. ATTORNEY SINGER indicated that 80% of the patients will be coming by van.

LEO DURANT, 3867 South Valley View, agreed to adhere to the light bulb standards, which would be the standard parking lot lights. He indicated that the ingress and egress on Cahlan Drive will be approximately 130 feet away from Charleston Boulevard.

COUNCILWOMAN MONCRIEF explained that the difference in Cahlan to Campbell is the proposal on Campbell was different in the amount of people who were driving in and out during the day, and she does not think the amount of cars would compare to this project. In Ward 1 there is a need for development and this is a great enhancement and the entrance and exit will not be from Charleston. She felt that growth is very important.

BOB GENZER, Director, Planning and Development Department, pointed out that since the applicant submitted that they would have a minimum of 90 spaces, he suggested a condition requiring a minimum of 90 spaces. The applicant agreed to all conditions.

COUNCILWOMAN MONCRIEF added a one-year review on the parking. The applicant agreed.

COUNCILMAN BROWN confirmed with MR. ANDERSON, that NDOT would not support any access off Charleston, regardless of what is developed on this parcel. NDOT'S normal policy is that if there was any other access from any other streets, then their first response would be a denial of any access to Charleston. Their principal concern is to keep traffic moving on Charleston Boulevard and where they can eliminate driveways, they do.

COUNCILMAN BROWN attempted to clarify what the policy would be in this case, whether NDOT would absolutely deny access to Charleston or consider access through a Site Plan.

MR. ANDERSON clarified that when their traffic division spoke to them, NDOT had not seen a proposal for access to Charleston, but was willing to look at one. However, the most likely response would be to deny because there was access to another street. ATTORNEY SINGER added that he did explore this with NDOT and was met with an emphatic no, other than as an emergency exit.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 96 - VAR-3291

MINUTES - Continued:

MAYOR GOODMAN mentioned that he lives close to the site, and at the southeast corner of Rancho and Charleston, there was a service station with a piece of property next to it. GERTRUDE RUDIAK owns the adjoining piece of property. It was clear based on the location of the service station that there would not be any type of residential development. MAYOR GOODMAN remarked that he made a commitment to the neighbors that he would never vote for a commercial building in this area. Unless there can be an ingress and egress from Charleston Boulevard, he does not think that this project will enhance the neighborhood.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 96 [VAR-3291] and Item 97 [SDR-3289].

(2:47 - 3:20)

4-2302

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3289).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3291 - PUBLIC HEARING - SDR-3289 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FERREYDOON AND SUSAN TOFIGH TRUST - Request for a Site Development Plan Review and Waivers of the FRONT AND CORNER SIDE SETBACKS, THE ONE-STORY, 20-FOOT MAXIMUM HEIGHT RESTRICTION, AND A PORTION OF THE PERIMETER AND PARKING LOT LANDSCAPING FOR A PROPOSED TWO-STORY, 20,410 SQUARE-FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda –Protest letter from Dennis & Shirley Newberry for Items 96 [VAR-3291] and 97 [SDR-3289] filed under Item 96 [VAR-3291]
5. Back up referenced from the 12/4/2003 Planning Commission meeting Item 26

MOTION:

MONCRIEF– APPROVED subject to conditions - Motion carried with GOODMAN, BROWN and MACK voting no

MINUTES:

NOTE: See Item 96 [VAR-3291] for all related discussion.

(2:47 - 3:20)

4-2302

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 97 - SDR-3289

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of five handicap accessible parking spaces that conform to Title 19.10 requirements.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the eastern property line planter.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The landscaping plan shall be in conformance with the submitted plan, except as amended by conditions herein.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties
9. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 97 - SDR-3289

CONDITIONS - Continued:

property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. Any proposed Signage shall be in conformance with Title 19.14.060(D), for signage located within the C-D (Designed Commercial) Zoning district in addition to Title 19.14.070 sign standard requirements regarding Residential Protection Standards.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. If a property line wall does not currently exist between the subject site and the Residential Zoned property to the south, the applicant shall be responsible for the construction of a 6-foot tall wall. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 97 - SDR-3289

CONDITIONS - Continued:

19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-3360 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST - Request for a Variance TO ALLOW A 27-FOOT SIDE YARD SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 78 FEET for a proposed Private School, Primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN:125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from G.C. Garcia, Inc. for Item 98 [VAR-3360] and 99 [SDR-3284] filed under Item 98 [VAR-3360]
5. Back up referenced from the 12/4/2003 Planning Commission meeting Item 30

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

MINUTES:

There was no discussion.

(1:43 - 1:49)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3360 - PUBLIC HEARING - **SDR-3284 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST** - Request for a Site Development Plan Review FOR A PROPOSED PRIVATE SCHOOL, PRIMARY on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN: 125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from G.C. Garcia, Inc. for Item 98 [VAR-3360] and 99 [SDR-3284] filed under Item 98 [VAR-3360]
5. Back up referenced from 12/4/2003 Planning Commission meeting Item 30

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

MINUTES:

There was no discussion.

(1:43 - 1:49)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2904 - LIBORIO MARKET ON BEHALF OF TRIPLE A, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR SLAUGHTER AND PROCESSING OF LIVE POULTRY and Waivers to allow deliveries from the hours of 4:00 a.m. to 8:00 p.m., where 8:00 a.m. to 8:00 p.m. are required; to permit the delivery of up to 300 chickens at one time, where the limit is 50 chickens per day; to permit the keeping of chickens on-site during over-night hours where no over-night storage of live chickens is permitted at 930 North Lamb Boulevard (APN:140-30-601-016), R-MHP (Residential Mobile/Manufactured Home Park) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL of the Special Use Permit; staff recommends DENIAL and the Planning Commission (4-2 vote) recommends APPROVAL of the Waivers

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL of the Special Use Permit; staff recommends DENIAL and the Planning Commission (4-2 vote) recommends APPROVAL of the Waivers, all subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE - APPROVED subject to conditions, deleting Condition 1, amending Conditions 2 and 3 to read:

1. Conformance with all *base conditions and all* standards of applicable regulatory agencies.
 2. This Special Use Permit shall be reviewed in *three months* after permits are issued for the poultry processing as a public hearing before the City Council.
- Motion Carried with GOODMAN voting no

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 100 – SUP-2904

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY J. T. MORAN III, 630 South 4th Street, appeared on behalf of the applicant, and thanked COUNCILMAN REESE and the City of Las Vegas for their support. He asked that a three-month review be implemented to look at viability and feasibility, as well as what can be done with that location, how many birds could be extended to an overnight stay and what time the birds should be delivered.

COUNCILMAN REESE admitted that he was skeptical when he first saw this; the chicken processing was inside a special room. He added that there was a question as to how many chickens would be processed, and the applicant had three separate occasions to formulate a number, and they decided on 50. He feels comfortable with 50 chickens but was concerned with the overnight stay because it was not previously brought up. He offered that he felt comfortable with 50 chickens but no overnight stay, a 3-month review, and restricted delivery hours.

MAYOR GOODMAN put forth that he had been insulted by the applicant and this was the first time he had kicked anybody out of his office. He emphasized that he remembered this matter very vividly because this was the first time an issue of this nature had been addressed and it was of great concern to the Council. He opined that the market is a beautiful market. MAYOR GOODMAN further explained that the Council, in effect, gave the applicants an ordinance that allowed for 50 chickens. He stated that he asked the applicant specifically on the record if the processing of these chickens was a way to generate income or a way to provide a public service to his customers. The applicant replied that this service was provided to satisfy a cultural tradition. He further inquired as to how much income was generated by the processing of live poultry. When the applicant was asked how much income would be generated from the sale of these chickens, it was estimated at \$1.25 per chicken. MAYOR GOODMAN offered that he surmised that this was not a lot of money so the applicant must be doing this to satisfy this cultural demand. He then expressed that before the applicants put the chickens into the market, they came before the Council for a variance and said that they did not understand what they were asking for. He was very upset and pointed out that he would not have voted for the ordinance if he had known that there would be this type of petition for a variance even before the chickens were introduced into the market. He further expressed anger because the applicant disrespected the City Council, and he would never tolerate any disrespect. He further warned that the applicant was fortunate that the Council is not reconsidering their liquor license.

ATTORNEY MORAN indicated he was not a participant in the meeting. MAYOR GOODMAN retorted the fact that he never received an apology from the applicant.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 100 – SUP-2904

MINUTES – Continued:

ATTORNEY TROY WALLIN, Hutchinson & Steffen, 8831 West Sahara, appeared on behalf of El Adobe Manufactured Home Community, 825 North Lamb and Villa Borega Manufactured Home Community, 1111 North Lamb. He stated that the area is predominantly residential, with numerous single-family and multi-family dwellings, such as apartment houses and manufactured homes. He further stated there are approximately six schools located within approximately a one-mile radius of the proposed site plan. ATTORNEY WALLIN reminded the Council that he was present during the Text Amendment hearing that occurred on April 24; whereby the amount of live chickens to be slaughtered per day was considered. He reviewed the factual findings that the slaughtering and processing of animals is currently permitted in the M (Industrial) District; therefore, large-scale animal processing should be limited to Industrial areas. However, after researching various zoning ordinances and visiting a grocery store that currently slaughters, processes and sells chickens on a limited basis, it appears that this type of operation could be appropriate under certain limited circumstances. ATTORNEY WALLIN proposed that if the applicant wants to slaughter more than 50 chickens per day, he would need to do this in an area zoned M (Industrial). He added that it should first be determined that the slaughter could be conducted in a manner which is harmonious and compatible to the surrounding environment. He submitted that the area is highly residential and his clients have concerns with regard to The Clean Water Act, storm water regulations, and where and how the waste from the slaughter of the chickens will be disposed.

COUNCILMAN REESE informed ATTORNEY WALLIN that those issues have been resolved and the applicant is requesting 50 chickens. ATTORNEY WALLIN asked that there be a limit of 50 chickens per day.

COUNCILMAN BROWN asked ATTORNEY WALLIN what the third issue was. ATTORNEY WALLIN clarified that the three issues were that there be no more than 50 chickens, that there be no overnight stay for the chickens and that the delivery times be restricted. COUNCILMAN BROWN assured ATTORNEY WALLIN that the environmental issues would be monitored and there will be no illegal dumping of the slaughter waste. ATTORNEY WALLIN raised the issue of the refrigeration of the slaughter waste, which could create odors.

COUNCILMAN REESE assured him that the Health District and the FDA would closely monitor this business, as this is a test case for the City of Las Vegas. He reported that he attended meetings regarding the project and had reservations. Initially, COUNCILMAN MACK made a recommendation for approval, and he was under the impression that the Text Amendment was to encompass the entire City of Las Vegas. Liborio Market was the first test case for the Text Amendment. He wants to ensure that if this type of business is allowed in other parts of the City that it is safe. ATTORNEY WALLIN presented that if this is going to be a test case, this is not a compatible area for such a test case.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 100 – SUP-2904

MINUTES – Continued:

COUNCILMAN REESE further stated that this area is predominately residential and the market is within one mile of a drainage area. The slaughtering process is such that if the applicant wants to slaughter more than 50 chickens a day, the applicant would need to take it to an area which is properly zoned.

COUNCILMAN REESE further cautioned that the City of Las Vegas wants to make sure that there will not be any transmission of diseases stemming from any improper keeping and slaughtering of live poultry. He further stated that he would not put anything in a citizen's backyard that he would not put in his own. The applicant has invested eight million dollars in the Liborio Market, and he is sure the applicant will not jeopardize this investment.

TODD FARLOW, 240 North 19th Street, offered that he previously lived over a similar business in the Bay Area and there were no problems.

ROLANDO LARRAZ, owner of The Las Vegas Tribune, said that he knows these people and the applicant will come back and ask to add more chickens. If Albertson's and Von's cannot slaughter chickens on site; Liborio Market should not as well. The residents do not want it. COUNCILMAN REESE responded that Albertson's and Von's or any supermarket could apply for the same application for the slaughter of poultry on site if they choose.

ROBERT BUTTON, 4565 Dutch Gold Avenue, lives about half a mile from the market and has opposed this each time the issue has been raised. He clarified with COUNCILMAN REESE that only 50 chickens will be allowed and no overnight stay with a 3-month review. MR. BUTTON offered that the applicant mentioned that they processed 300 birds per day and this store had the capacity to do 500 chickens.

COUNCILMAN REESE indicated that he wants to see if the applicant can handle 50 birds and if it works and is safe. MR. BUTTON asked if this would be a situation whereby this issue will be raised and reviewed every three months.

COUNCILMAN REESE reiterated that it is worthwhile for the neighbors to come out and voice their concerns because that is what city government is about. If there were a negative impact in the area, he would see it too. He is looking out for their best interest. He reported that after some of the citizens saw the store, their opinions of the Liborio Market changed.

MR. BUTTON conceded that there were no complaints by the neighbors with regard to cleanliness, but the neighbors may have gotten discouraged when the Text Amendment was approved and have been less vocal.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 100 – SUP-2904

MINUTES - Continued:

COUNCILMAN REESE assured MR. BUTTON that the applicant would be able to stake his reputation on making sure that a consumer could go into the store and buy a live chicken without any problems. If he has any concerns he could call his office.

COUNCILMAN REESE and MAYOR GOODMAN both reiterated that they were offended by the fact that the applicant was asking for more chickens and variances before any chickens were sold.

ATTORNEY MORAN offered an apology on behalf of his clients. MAYOR GOODMAN refused the apology from ATTORNEY MORAN as he believed the apology should come from the applicant. Additionally, he emphasized that unless the applicants apologize to him and COUNCILMAN REESE, he would vote no every single time on any application brought forth by the applicant.

ATTORNEY MORAN indicated that the applicant has done good things with the property and has future plans for positive improvements to serve the public and provide a phenomenal product. Finally, he conveyed that these are the types of people that he would want to be in business with, and there must have been some miscommunication.

MAYOR GOODMAN responded that there was no miscommunication. The applicant was rude and deceptive and had the intention of asking for 500 chickens when a special ordinance was drafted to have 50 chickens. He does not do business that way; he does business legitimately.

COUNCILMAN REESE commented that he tries to listen to anyone because there are many people involved in the process. As a Council member, he must look at the application and set aside what happened yesterday in order to do what he thinks is best for the area he represents.

ROBERT GENZER, Director of Planning and Development, indicated that based on the motion and the applicant's willingness to abide by all the base conditions, he recommended that Condition #1 be deleted in its entirety. Additionally, he recommended that Condition #2 be amended to state that conformance with all base conditions and all standards of applicable regulatory agencies be required. MR. GENZER also indicated that Condition #3 be amended to reflect a three-month review by City Council and eliminate the need to go back to the Planning Commission. ATTORNEY MORAN concurred with the amended conditions.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:20 - 3:40)

5-235

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 100 – SUP-2904

CONDITIONS:

Planning and Development

1. No waivers shall be granted to these base conditions required to approve a Special Use Permit except as modified herein:
 - a) The slaughtering and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry is prohibited.
 - b) The use may not be located closer than one thousand five hundred feet from any other facility used for the slaughter and processing of live poultry.
 - c) The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.
 - d) The sale of poultry on the site shall be limited to retail sales of processed poultry.
 - e) There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off-site.
 - f) All live poultry shall be stored within an enclosure structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, state and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.
 - g) The maximum number of live birds allowed to be kept or maintained on site at any one time is three hundred.
 - h) The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 4:00 am to 8:00 pm.
 - i) The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on-site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
 - j) Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 100 – SUP-2904

CONDITIONS – Continued:

- k) All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 am to 8:00 pm.
 - l) No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature controlled, sealed room.
 - m) All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
 - n) The processing facility shall be landscaped and screened as required in connection with Site Development Plan Review.
- 2. Conformance with all standards of applicable regulatory agencies.
 - 3. This Special Use Permit shall be reviewed in two years after permits are issued for the poultry processing as a public hearing before the Planning Commission and City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2962 - KOSTER FINANCE ON BEHALF OF CEAGLE SPIRIT, LIMITED LIABILITY COMPANY - Appeal filed by Koster Finance from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2300 East Bonanza Road (APN: 139-35-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****307****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Koster Finance

MOTION:

REESE – APPROVED subject to conditions – **UNANIMOUS** with **MACK** abstaining because he is a consultant for SuperPawn owned by his brother Steven Mack which offers the same service, and the building mentioned in the application is a former SuperPawn location; and **MONCRIEF** abstaining because she is a co-owner of Trinidad Surgery Center with **DR. FRANK SILVER**, which is on the southeast corner of Eastern and Bonanza.

NOTE: MAYOR GOODMAN disclosed that he had been advised that this is not an issue concerning distance requirements so there is no need to abstain as a result of one of his sons representing similar type companies.

NOTE: COUNCILMAN REESE disclosed that he has been the owner of a barbershop, which is across the street for the last 40 years, but he does not think this will impact his business at all and he feels comfortable voting.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 101 - SUP-2962

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BILL KOSTER was present to answer any questions and concurred with conditions. COUNCILMAN REESE inquired as to the color of the building. MR KOSTER assured COUNCILMAN REESE that although he does not have much control over the color, it would be a neutral color, such as the current color of gray or cream that will match the rest of the mall. The green heading around the top will likely be changed to a neutral color, such as beige. COUNCILMAN REESE requested that the building match the rest of the shopping center and the landscaping be maintained. He further commented that the building looks nice.

TODD FARLOW, 240 North 19th Street, opined that if all the check-cashing businesses close, he hopes that the banks will as well.

COUNCILMAN REESE offered that he met with MR. KOSTER and discussed all the concerns regarding ordinances and distance requirements and feels that this business will be a welcome addition to the area.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:43 - 1:49)

4-1

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 101 - SUP-2962

CONDITIONS - Continued:

5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3114 - **SHOW MEDIA ON BEHALF OF PROFESSIONAL INVESTMENT GROUP, LIMITED LIABILITY COMPANY** - Appeal filed by Show Media from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 40-FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 4545 West Sahara Avenue (APN:162-07-101-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Show Media
5. Submitted after final agenda – Abeyance request by Singer and Brown

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

MINUTES:

There was no discussion.

(1:43 - 1:49)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-3128** - **NORA ARMENIAN ON BEHALF OF THE KOUTNOUYAN LIVING TRUST** - Request for a Special Use Permit FOR AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES & SERVICE) AND A PROPOSED AUTO REPAIR GARAGE, MINOR, located at 4401 Stewart Avenue (APN: 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE - Motion to **STRIKE** Item 74 [2208 Fairfield Avenue]; **ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE** of Item 108 [SUP-3266]; **TABLE** Item 110 [SUP-3269]; **HOLD IN ABEYANCE** Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with **MAYOR GOODMAN** abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and **COUNCILWOMAN MONCRIEF** abstaining on Item 74 [2208 Fairfield Avenue] because **BOB STUPAK**, who is a close personal friend, owns the property

MINUTES:

TODD FARLOW, 240 North 19th Street, asked that Item 103 [SUP-3628] be heard today.

There was no further discussion.

(1:43-1:49)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-3131 - RUBI VALBUENA ON BEHALF OF ANER IGLESIAS TRUST 1997, ET AL** - Request for a Special Use Permit FOR A PROPOSED 450 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED located at 840 North Decatur Boulevard, Suite B (APN: 139-30-301-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions - UNANIMOUS with MACK abstaining due to a consulting agreement with SuperPawn, owned by his brother, STEVEN MACK that offers the same service

NOTE: MAYOR GOODMAN disclosed that he had been advised that this is not an issue concerning distance requirements so there is no need to abstain as a result of one of his sons representing similar type companies.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GINA CASADIEGO, 2600 South Town Center, appeared on behalf of the applicant and concurred with conditions.

TODD FARLOW, 240 North 19th Street, inquired as to the existence of saturation issues associated with this item. MAYOR GOODMAN responded that there are none.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 104 - SUP-3131

MINUTES - Continued:

COUNCILMAN WEEKLY stated that because this is an existing business and not an over-saturation issue, he will support this application.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:42 - 3:46)

5-1111

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Financial Institution, Specified use.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. The building design and color scheme shall be subject to review by the department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
5. Window signs shall not cover more than twenty percent of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-68, and all other previous approvals.
8. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
9. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3152 - REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5300 West Sahara Avenue (APN: 163-01-804-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – Abeyance request by Singer and Brown

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

MINUTES:

There was no discussion.

(1:43 - 1:49)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3254 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST - Request for a Special Use Permit and a Waiver of Title 18.12.160 (Street Intersection Offset Requirements) FOR A PRIVATE STREET WITHIN A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.13 acres adjacent to the northeast corner of Tenaya Way and O'Bannon Drive, (APN: 163-03-702-005), R-E (Residence Estates) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**MONCRIEF – APPROVED subject to conditions – UNANIMOUS**

NOTE: MAYOR GOODMAN expressed concern that the financial disclosure did not state one way or the other whether the applicant has any financial relationship with the Council. He believes he had a relationship with MR. REISS, who is now deceased. MR. FREGGIARO indicated that he has a relationship with MR. REISS' son, who expressed no relationship with the Mayor or Council.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 106 [SUP-3254] and Item 107 [VAC-3255].

ERNIE FREGGIARO, Integrity Engineering, appeared on behalf of the applicant and concurred with conditions on both items.

No one appeared in opposition.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 106 - SUP-3254

MINUTES - Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 106 [SUP-3254] and Item 107 [VAC-3255].

(3:46 - 3:48)

5-1187

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Private Street use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. A Homeowner's Association shall be established to maintain all private roadways and common areas created with this development.
5. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: JANUARY 7, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION RELATED TO SUP-3254 - PUBLIC HEARING - **VAC-3255 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST** - Petition to Vacate U.S. Government Patent Easements generally located north of O'Bannon Drive and east of Tenaya Way, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

NOTE: MAYOR GOODMAN expressed concern that the financial disclosure did not state one way or the other whether the applicant has any financial relationship with the Council. He believes he had a relationship with MR. REISS, who is now deceased. MR. FREGGIARO indicated that he has a relationship with MR. REISS' son, who expressed no relationship with the Mayor or Council.

MINUTES:

NOTE: See Item 106 [SUP-3254] for all related discussion.

(3:46 - 3:48)

5-1187

CONDITIONS:

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 107 - VAC 3255

CONDITIONS - Continued:

2. All development shall be in conformance with code requirements and design standards of all City departments.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3266 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF FOSTER DAY CORPORATION - Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 4910 Vegas Drive (APN: 138-24-804-012), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Advertising Company
5. Submitted after final agenda – Withdrawal without prejudice request by Lamar Advertising Company

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

NOTE: COUNCILMAN MACK disclosed that the billboard referenced in Item 108 [SUP-3266] is in the vicinity of a SuperPawn, with which he has a consulting agreement, but he feels this will not have an effect on his vote and he will be voting.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 108 - SUP-3266

MINUTES:

There was no further discussion.

(1:43 - 1:49)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3268 - MAKINO PREMIUM OUTLET LV, LIMITED LIABILITY COMPANY ON BEHALF OF SIMON/CHELSEA LAS VEGAS DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR located at 775 South Grand Central Parkway, Suite 1301 (APN: 139-33-710-001), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

TED BIRKLAND, 8101 Lake Hills Drive, appeared on behalf of the applicant. MAYOR GOODMAN expressed excitement about Chelsea Properties, where the State of the City was held, and conveyed how this is a wonderful project. He offered that this was an Asian buffet and there is one on Flamingo and Decatur.

AL GALLEGOS, citizen of Las Vegas, suggested that the restaurant be built sooner.

TODD FARLOW, 240 North 19th Street, wanted to know if the restaurant service bar will serve Bombay Sapphire. MR. BIRKLAND stated that they would only serve beer, wine and sake.

COUNCILMAN WEEKLY commented that this will be a really good restaurant. He observed the discussion at the Planning Commission meeting and believes this will be a great enhancement and a great place to dine. He wished the applicants good luck.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 109 - SUP-3268

MINUTES - Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:51 - 3:53)

5-1280

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Restaurant Service Bar use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0100-97).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 1205 East Sahara Avenue (APN: 162-02-401-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – Request to table from Singer & Brown

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

MINUTES:

There was no further discussion.

(1:43 - 1:49)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3277 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON - Request for a Special Use Permit FOR A 24,397 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 111 [SUP-3277] and Item 112 [SDR-3279].

KEVIN REISCH, Gary Miller and Associates Architects, 624 South 9th Street, representing the applicant, was present and concurred with conditions.

TODD FARLOW, 240 North 19th Street, questioned the Council as to when this was heard before the Planning Commission. ROBERT GENZER, Director, Planning and Development Department, replied that it was heard on December 4, 2003.

No one appeared in opposition.

There was no further discussion.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 111 - SUP-3277

MINUTES - Continued:

MAYOR GOODMAN declared the Public Hearing closed for Item 111 [SUP-3277] and Item 112 [SDR-3279].

(3:53 - 3:57)

5-1381

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Church/House of Worship use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-3279.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3277 - PUBLIC HEARING - SDR-3279 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON - Request for a Site Development Plan Review FOR A PROPOSED CHURCH/HOUSE OF WORSHIP on 4.86 acres adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with WEEKLY not voting

MINUTES:

NOTE: See Item 111 [SUP-3277] for all related discussion.

(3:53 - 3:57)

5-1381

CONDITIONS:

Planning and Development

1. Special Use Permit (SUP-3277) approved by City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 112 - SDR-3279

CONDITIONS - Continued:

4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
13. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 112 - SDR-3279

CONDITIONS - Continued:

Public Works

14. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the issuance of any permits for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.
16. Construct half-street improvements including appropriate overpaving, if legally able on Dorrell Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Also, this site is responsible to construct half-street improvements on Jones if not ultimately constructed with Special Improvement 1487.
17. If not already constructed at time of development, coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer in Dorrell Lane to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
18. Provide notarized permission from the adjacent property owner to construct any portion of the entry that encroaches onto the adjacent property to the south.
19. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, 5 feet past the west boundary of this site prior to construction of hard surfacing (asphalt or concrete).
20. Landscape and maintain all unimproved rights-of-way on Jones Boulevard and Dorrell Lane adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Jones Boulevard and Dorrell Lane public rights-of-way adjacent to this site prior to occupancy of this site.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 112 - SDR-3279

CONDITIONS - Continued:

22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-2457 - DONNA F. BEAM REVOCABLE TRUST** - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 113 [ZON-2457] and Item 114 [SDR-2458] filed under Item 113 [ZON-2457]

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 113 – ZON-2457

MINUTES:

COUNCILMAN BROWN commented that the applicant requested the abeyance of Item 113 [ZON-2457] and Item 114 [SDR-2458] in order to meet with the neighbors. Secondly, there is a potential for a special use permit to be tied into the zoning so that they can be heard together. The two parcels are very different even though the applicant is asking for the same zoning. He cautioned the applicant that the existing signage insinuates that the zoning has already been granted.

There was no further discussion.

(1:43 - 1:49)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 - PUBLIC HEARING - **SDR-2458 - DONNA F. BEAM REVOCABLE TRUST** - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 113 [ZON-2457] and Item 114 [SDR-2458] filed under Item 113 [ZON-2457]

MOTION:

REESE - Motion to STRIKE Item 74 [2208 Fairfield Avenue]; ACCEPT THE WITHDRAWAL WITHOUT PREJUDICE of Item 108 [SUP-3266]; TABLE Item 110 [SUP-3269]; HOLD IN ABEYANCE Item 89 [MOD-3069], Item 90 [SDR-3072], Item 98 [VAR-3360], and Item 99 [SDR-3284] to 2/4/2004; Item 102 [SUP-3114], and Item 103 [SUP-3128] to 1/21/2004; Item 105 [SUP-3152] to 3/3/2004; Item 113 [ZON-2457], and Item 114 [SDR-2458] to 4/21/2004 with MAYOR GOODMAN abstaining on Items 102 [SUP-3314], 105 [SUP-3152], 108 [SUP-3266], and 110 [SUP-3269] as these items involve billboards, and he is in a business relationship with some people who are negotiating with billboard companies, and there could be a potential conflict of interest and COUNCILWOMAN MONCRIEF abstaining on Item 74 [2208 Fairfield Avenue] because BOB STUPAK, who is a close personal friend, owns the property

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 114 – SDR-2458

MINUTES:

COUNCILMAN BROWN commented that the applicant requested the abeyance of Item 113 [ZON-2457] and Item 114 [SDR-2458] in order to meet with the neighbors. Secondly, there is a potential for a special use permit to be tied into the zoning so that they can be heard together. The two parcels are very different even though the applicant is asking for the same zoning. He cautioned the applicant that the existing signage insinuates that the zoning has already been granted.

There was no further discussion.

(1:43 - 1:49)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-3031 - THOMAS & JUDITH MILLER** - Request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 0.93 acres adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend **APPROVAL**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend **APPROVAL**, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK - APPROVED subject to conditions and amending Condition 5 (to be renumbered as #6) to read as follows:

5. Construct half-street improvements including appropriate overpaving on Nemeth Road, *the full turn-around radius for the required cul-de-sac terminating Nemeth Road, and all improvements necessary to terminate the southern portion of Nemeth Road. Also, construct all incomplete improvements on Smoke Ranch Road adjacent to this site concurrent with development of this site.* Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

And the following added condition (to be numbered as #5):

- Terminate Nemeth Road in a circular cul-de-sac meeting current City standards, at a location acceptable to the City Engineer, concurrent with development of this site.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 115 – ZON-3031

MOTION – Continued:

The remaining portion of Nemeth Road existing to the south of the proposed site shall be terminated in a manner, other than a standard cul-de-sac, acceptable to the City Engineer. Appropriate Vacation Applications shall be submitted as necessary to terminate Nemeth Road; if needed, the Petition(s) of Vacation shall record before the issuance of any building permits overlying the area to be vacated.

- UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar & Grill owned by his brother-in-law, ANDREW DONNER, is located nearby. They have not discussed the application and he does not feel it will have any impact on MR. DONNER'S business, so he will be voting on Items 115, 116, 117 and 118.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 115 [ZON-3031], Item 116 [VAR-3040], Item 117 [SUP-3038] and Item 118 [SDR-3035].

JEFF BENDAVID, 630 South 4th Street, representing the applicant, initiated the discussion by displaying a rendering. The southwest design retail building is on Smoke Ranch and Nemeth, east of Rainbow. There is an issue of the lot line, parking and Special Use Permit on the minor auto. He advised that the applicant wishes to build a 3000-square foot minor auto repair, located on the corner of Smoke Ranch and Nemeth, and a 6000-square foot retail facility, of which the specific location has not been determined. The applicant is asking for the approval of the zoning change, which is presently at U, to C-1, and secondly, a Special Use Permit on the minor auto. MR. BENDAVID informed that the 3000-square foot minor auto backs up to Nevada Power's property, which houses only transformers. He maintained that there have been no complaints from Nevada Power or the neighbors. MR. BENDAVID further requested that since the remainder of the property backs up into the neighborhood, he would like to do a zero lot line building with all-block construction. There would not be a wood frame so there would not be safety concerns if the block wall abuts the neighborhood. He also displayed an additional example photo of a similar project, one property over, the difference being the setback. The setback creates an alley, which the applicant is trying to avoid in the current project. After speaking with COUNCILMAN MACK, his staff and the neighbors, it was suggested that instead of creating an alley, a zero lot line should be created to help with the parking.

MR. BENDAVID indicated that 51 parking spaces are required, but the request is for 36. About five or six spaces will be lost on the front of the minor auto repair because of the location of the repair bays. In terms of the remainder of the property, MR. BENDAVID pointed out there is ample parking with 36 spaces.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 115 - ZON-3031

MINUTES - Continued:

In conjunction with the waiver, Nemeth Road will be vacated. The neighbors do not want it open and the applicant concurred. MR. BENDAVID explained that this is a neighborhood street, and if it were to be blocked off at Nemeth there would be no issue. He explained that on vacation of Nemeth the area with trash and gravel would be a paved road. Presently, there are barriers placed by the City to keep traffic out. Upon approval, the applicant plans to place a block wall or turn-about in place of the barriers. The front of the subject building in the application would face the back of the commercial property that is next door.

MR. BENDAVID summarized that the requests are for a Special Use Permit for the minor auto; a waiver of the parking spaces from 51 to 36; and a waiver of the setbacks from the rear and side only to a zero lot line. As a condition, COUNCILMAN MACK asked that the applicant would vacate Nemeth Road.

TODD FARLOW, 240 North 19th Street, stated that he was under the impression that the repair bays would face the street. He suggested that the applicant make the back wall sound proof. MR. FARLOW further inquired where the utility lines would be placed. TOM MILLER, the applicant, replied that all of the utilities come in off Smoke Ranch and already exist in front of the property.

COUNCILMAN MACK clarified that the building will be facing the back of the strip center, and he did not believe it would have any adverse effect on the bays facing the street. Vacating Nemeth, paving it and creating a cul-de-sac would be a viable solution. Prior to the application coming forward there was nuisance traffic on Nemeth, and this was the reason for Public Works installing the barricades. The residents would be in favor of the improvements on Nemeth, as long as the applicant was willing to bear the cost.

BART ANDERSON, Public Works Department, asked for clarification if the intent is to vacate all of Nemeth Road and make it a private access for this site and its neighboring site. COUNCILMAN MACK replied that the vacation is the small portion from the cul-de-sac southward.

MR. ANDERSON pointed out that the property would be returned to the abutting property owners on either side, and it would have to be returned in a usable state. There are issues with an existing property directly opposite the southern parcel of this site that has no other access other than Nemeth, and if they are in agreement, it could be made private, but making it public would be easier.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 115 - ZON-3031

MINUTES - Continued:

COUNCILMAN MACK clarified that the vacation will only be from the south, but the applicant is willing to put the improvements on Nemeth for the other property owner. MR. ANDERSON read for the record an amendment to Condition 5, to be renumbered as #6, as well as an added condition to be numbered as #5. COUNCILMAN MACK imposed a one-year review on the parking on Item 116 [VAR-3040]. The applicant agreed with all conditions.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 115 [ZON-3031], Item 115 [VAR-3040], Item 117 [SUP-3038] and Item 118 [SDR-3035].

(3:57 - 4:09)
5-1459

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Parcel Map or a Reversionary Parcel Map is necessary; if such map is required it should record prior to the issuance of any building permits for this site.
4. Dedicate an additional 10.5 feet of right-of-way for a total half-street width of 25.5 feet on Nemeth Road adjacent to this site prior to the issuance of any permits.
5. Construct half-street improvements including appropriate overpaving on Nemeth Road and all incomplete improvements on Smoke Ranch Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 115 - ZON-3031

CONDITIONS - Continued:

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
8. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - VARIANCE RELATED TO ZON-3031 - PUBLIC HEARING - **VAR-3040 - THOMAS & JUDITH MILLER** - Request for a Variance TO ALLOW 36 PARKING SPACES WHERE 51 SPACES ARE REQUIRED and a Variance TO ALLOW ZERO-FOOT SIDE AND REAR SETBACKS WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 48-FOOT SETBACK FROM RESIDENTIAL PROPERTIES FOR A PROPOSED 6,000 SQUARE-FOOT RETAIL CENTER AND A PROPOSED 3,000 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Cynthia Lane

MOTION: MACK – APPROVED subject to conditions and adding the following condition:

- *This variance shall be subject to a one-year review on the parking.*

- UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar & Grill owned by his brother-in-law, ANDREW DONNER, is located nearby. They have not discussed the application and he does not feel it will have any impact on MR. DONNER'S business, so he will be voting on Item 115, 116, 117 and 118.

MINUTES:

NOTE: See Item 115 [ZON-3031] for all related discussion.

(3:57 - 4:09)

5-1459

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 116 - VAR-3040

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3031), Special Use Permit (SDR-3038) and Site Development Plan Review [SDR-3035].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO ZON-3031 AND VAR-3040 - PUBLIC HEARING - **SUP-3038 - THOMAS & JUDITH MILLER** - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE, MINOR on property adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Cynthia Lane

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar & Grill owned by his brother-in-law, ANDREW DONNER, is located nearby. They have not discussed the application and he does not feel it will have any impact on MR. DONNER'S business, so he will be voting on Item 115, 116, 117 and 118.

MINUTES:

NOTE: See Item 115 [ZON-3031] for all related discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 117 - SUP 3038

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for an Auto Repair Garage, Minor use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3031), Variance (VAR-3040) and Site Development Plan Review [SDR-3035].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3031, VAR-3040 AND SUP-3038 - PUBLIC HEARING - **SDR-3035 - THOMAS & JUDITH MILLER** - Request for a Site Development Plan Review FOR A PROPOSED 6,000 SQUARE-FOOT RETAIL BUILDING AND A PROPOSED 3,000 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR; A WAIVER OF SIDE AND REAR SETBACKS TO ZERO FEET WHERE 20 FEET IS REQUIRED IN THE REAR AND 10 FEET ON THE SIDE; A REDUCTION IN THE AMOUNT OF PERIMETER BUFFERING AND LANDSCAPING, PARKING LOT LANDSCAPING, AND A WAIVER OF A NUMBER OF COMMERCIAL DESIGN GUIDELINES on 0.93 acres adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar & Grill owned by his brother-in-law, ANDREW DONNER, is located nearby. They have not discussed the application and he does not feel it will have any impact on MR. DONNER’S business, so he will be voting on Item 115, 116, 117 and 118.

MINUTES:

NOTE: See Item 115 [ZON-3031] for all related discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 118 - SDR-3035

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-3031] to a C-1 (Limited Commercial) Zoning District, a Variance (VAR-3040) regarding parking and residential adjacency deficiencies, and a Special Use Permit (SUP-3038) to allow an Auto Repair Garage, Minor approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 118 - SDR-3035

CONDITIONS - Continued:

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. The site plan as proposed requires submittal of a recorded Joint Access and Parking Agreement between the two parcels prior to the issuance of any permits.
15. Site development to comply with all applicable conditions of approval for ZON-3031 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-3138 - CITATION HOMES ON BEHALF OF CARL W. & RUTH HEAVIN AND DESERT MOBILE HOME PARK, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-MHP (Residential Mobile Home Park) TO: R-CL (Single-Family Compact-Lot) on 2.46 acres located adjacent to the north side of East Van Buren Avenue, approximately 960 feet east of Lamb Boulevard (APN: 140-29-101-005 and a portion of 140-29-101-002), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council-New site plan by Robert Cunningham

MOTION:

REESE – APPROVED subject to conditions and adding the following condition:

- *Lots 1-13, as shown on plan submitted January 7, 2004 shall be single story only.*

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ROBERT CUNNINGHAM, 4445 South Jones, appeared on behalf of the applicant, and informed that this item was held approximately 30 days ago in order that the applicant might meet with COUNCILMAN REESE to discuss concerns about the site. After that meeting the applicant agreed to make several lots single-story only and he presented exhibits to the Council. The applicant agreed with all conditions, as long as the single-story restrictions suffice for COUNCILMAN REESE.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 119 - ZON-3138

MINUTES - Continued:

TODD FARLOW, 240 North 19th Street, asked if there were any elevations available for the site. MR. CUNNINGHAM offered colored renderings of the single and two-story homes.

ROBERT BUTTON, 4565 Dutch Gold Avenue, lives in the neighborhood and inquired if street improvements on Van Buren would be made. COUNCILMAN REESE replied that the applicant is going to improve the street from Lamb to Blushing Bride by widening the street and installing sidewalks.

MR. BUTTON asked the square footage of the homes and if the lot size would compare to the Rosewood area. MR. CUNNINGHAM indicated that the homes range from 1,250 to 1,575 square feet. The lot sizes are the same as those in Rosewood.

COUNCILMAN REESE elaborated that the two-story homes would be on lots 14 through 18, facing Van Buren. He thanked the applicant for meeting with him and was pleased with the project. He appreciated the applicant making improvements on Van Buren.

MARGO WHEELER, Deputy Director, Planning and Development Department, suggested a condition on the zoning that the structures might only be single-story on the east, west and north. However, COUNCILMAN REESE pointed out that he only has lot numbers 14 through 18 to be two-story.

MS. WHEELER replied that the Site Plan was not before the Planning and Development Department, but that they would refer to the plan submitted by the applicant.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(4:09 - 4:13)

5-2050

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 119 - ZON-3138

CONDITIONS - Continued:

3. The proposed project shall be developed as one parcel.

Public Works

4. Coordinate with the City Surveyor to determine whether a Parcel Map or other mapping is necessary; if such map is required it should record prior to the issuance of any building permits for this site or the recordation of any Final Maps overlying or abutting this site.
5. Construct half-street improvements including appropriate overpaving on East Van Buren Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 119 - ZON-3138

CONDITIONS - Continued:

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3143 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY -
Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-2 (General Commercial) on 1.20 acres located at 1616 South Decatur Boulevard (APN: 163-01-602-004), Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/4/2003 Planning Commission meeting Item 9

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 120 [ZON-3143] and Item 121 [SUP-3144].

SUSAN JOHNSTON, G.C. Garcia, appeared on behalf of the applicant and concurred with conditions.

TODD FARLOW, 240 North 19th Street, asked if any restrictions exist on the number of cars allowed on the site. MS. JOHNSTON replied that a condition was imposed requiring that vehicles cannot be stored on the site longer than 45 days. MR. FARLOW insisted that a maximum number of cars allowed be included in the conditions.

COUNCILWOMAN MONCRIEF asked if the applicant was amenable to limiting the number of vehicles to be stored on the site. MS. JOHNSTON rejoined that it would depend on the number of cars.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 120 – ZON 3143

MINUTES – Continued:

ROBERT GENZER, Director, Planning and Development Department, suggested that the number of cars should be based upon the number of parking spaces. The applicant is providing 68 parking spaces and could have a limit of 68 vehicles on the outside portion of the property. MS. JOHNSTON agreed with the condition.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 120 [ZON-3143] and Item 121 [SUP-3144].

(4:13 – 4:16)
5-2235

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

Public Works

2. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
3. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 120 – ZON 3143

CONDITIONS – Continued:

permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be L dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-3143 - PUBLIC HEARING - SUP-3144 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR MOTOR VEHICLE SALES (USED) AND FOR AUTO REPAIR GARAGE, MINOR on property located at 1616 South Decatur Boulevard (APN: 163-01-602-004), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/4/2003 Planning Commission meeting Item 10

MOTION:

MONCRIEF – APPROVED subject to conditions and adding the following condition:

The number of vehicles to be stored on the outside portion of the property shall not exceed 68.

– UNANIMOUS

MINUTES:

NOTE: See Item 120 [ZON-3143] for all related discussion.

(4:13 – 4:16)

5-2235

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3143).
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 121 – SUP-3144

CONDITIONS – Continued:

3. All City Code requirements and design standards of all City departments must be satisfied.
4. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. All repair and service work shall be performed within a completely enclosed building.
8. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize visual intrusion into adjoining properties.
9. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
10. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
11. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3219 - TANEY ENGINEERING ON BEHALF OF RICHARD & SHERIE KOCH LIVING TRUST - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units per Acre) on 5.03 acres adjacent to the south side of Mello Avenue, approximately 615 feet east of Jones Boulevard (APN: 125-24-302-005), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****83****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/4/2003 Planning Commission meeting Item 14
5. Submitted at City Council – Protest letter and map attachment by Mr. Shirley

MOTION:

MACK – ABEYANCE to 2/4/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 122 [ZON-3219] and Item 123 [SDR-3220].

PAUL LARSEN, 300 South 4th Street, appeared on behalf of Great American Capital, the purchaser and developer of this property. He stated that the project was initially presented with 15 lots, and there was significant neighborhood opposition. The applicant listened to those concerns and presented a revised plan. First, the density was reduced from 15 lots to 12 lots. As a result, the lot size went up significantly, to make it compatible with the surrounding neighborhood. The smallest lot is approximately 15,000 feet.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 122 - ZON-3219

MINUTES - Continued:

In addition, the neighborhood had concerns about two-story houses. ATTORNEY LARSEN offered a condition on the 12-lot plan that it be limited to single story on the 12 lots, and the minimum square footage of the houses would be 3,200 square feet to be compatible with the neighborhood. ATTORNEY LARSEN further proposed that a private, interior street with the backyards backing onto Mello and a landscape buffer with a landscape easement to be maintained by this property, both along Moe Street, would be the entrance way to address the concerns of the neighbors.

COUNCILMAN MACK requested to hold this item in abeyance so staff can review the Site Plan. ATTORNEY LARSEN advised that he did not have discretion from the applicant to hold in abeyance.

MAYOR GOODMAN noticed that many of the neighbors appeared to speak and gave them a choice to speak now and have the comments incorporated into the record or to return and speak when the Item is heard.

ATTORNEY LARSEN offered to meet with the neighbors, to further address their concerns.

CRAIG SHIRLEY, 5901 Mello Avenue, submitted information to the Council. He asked that the item go forward and not be held in abeyance because he felt that the changes proposed by ATTORNEY LARSEN were minor, and the proposed density is too high for this area, which is zoned for low density-residential. The blue lots that exist are developed single-family lots, which average in excess of one acre. There are three pieces that are not developed. The requirements for this planned residential development are that it shows an imaginative, and innovative residential design, and he felt that the design was for high-density. The development needs amenities to establish a clear sense of community. The neighborhood has been in existence for 35 years in a low-density, large lot, single-family residence. He further informed that one of the requirements for the zone is to incorporate efficient consolidated utilized open space, which he claims the project does not have. Another requirement is to separate pedestrian and vehicular traffic.

MR. SHIRLEY added that there are no sidewalks for the children to use. An additional requirement was that the project establish a determination of compatibility with the surrounding development. He challenged that it was abundantly clear that the plan displays incompatibility because it is in the middle of a rural preservation over-lay, and urged the Council to deny the application.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 122 - ZON-3219

MINUTES - Continued:

TODD FARLOW, 240 North 19th Street, opposed the application because the equestrian trails should be used for equestrian use only.

COUNCILMAN MACK respected the fact that ATTORNEY LARSEN had no authority to agree to an abeyance but he would like to work with staff and the neighbors to enable the project to come into conformance and asked for a one-month abeyance for Item 122 and Item 123.

There was no further discussion.

NOTE: MAYOR GOODMAN requested CITY CLERK BARBARA JO RONEMUS, to have MR. SHIRLEY'S documentation available in the back-up when the Item comes forward again on February 4, 2004.

MAYOR GOODMAN declared the Public Hearing closed for Item 122 [ZON-3219] and Item 123 [SDR-3220].

(4:16 - 4:25)

5-2368

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3219 - PUBLIC HEARING - **SDR-3220 - TANEY ENGINEERING ON BEHALF OF RICHARD & SHERIE KOCH LIVING TRUST** - Request for a Site Development Plan Review FOR A PROPOSED 15-LOT RESIDENTIAL DEVELOPMENT on 5.03 acres adjacent to the south side of Mello Avenue, approximately 615 feet east of Jones Boulevard (APN: 125-24-302-005), R-E (Residence Estates) Zone PROPOSED: R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

83
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/4/2003 Planning Commission meeting Item 15

MOTION:

MACK – ABEYANCE to 2/4/2004 – UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-3219] for all related discussion.

(4:16 - 4:25)

5-2368

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3256 - THE NEON MUSEUM ON BEHALF OF THE CITY OF LAS VEGAS - Request for a Rezoning FROM: C-2 (General Commercial) and R-3 (Medium Density Residential) TO: C-V (Civic) on 1.79 acres adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue (APN: 139-27-812-039, 040, and 043), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that in his capacity as a City Councilman he serves on the Neon Museum board and the board has made great strides under the new leadership.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 124 [ZON-3256] and Item 125 [SDR-3257].

SANDRA HARRIS, Executive Director of the Neon Museum was there to answer questions and agreed to all conditions.

MAYOR GOODMAN asked when the museum would be built. MS. HARRIS replied it would be built as soon as the organization could fulfill the conditions and revise the drawings. She estimated that ground breaking would be in two months.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 124 - ZON-3256

MINUTES - Continued:

MAYOR GOODMAN stated that six out of seven of the Council members had been around for about four years and have been patient with respect to getting the museum operational.

AL GALLEGOS, citizen of Las Vegas, lives across the street from this property and has many suggestions regarding the museum. He asked about a particular part of the drawing, while inferring that it was a driveway. MS. HARRIS explained that it would remain as a sidewalk.

MR. GALLEGOS noted that when the Billboard Awards were in Las Vegas, a commercial was made on this property and no one was allowed into the area. He wanted to know if this would happen again in the future. He suggested that the City buy two parcels of land adjacent to the site to enlarge the museum. He opined that the museum was in the wrong place because it is in a residential area. Approximately two years ago, he suggested that the Nevada Museum be put in that area by buying all the houses in the area, but the City was not interested.

BOB REEVE, 3865 South Jones, appeared on behalf of MR. FOWLER and MS. GOGERT, who own the two parcels MR. GALLEGOS mentioned. MR. FOWLER owns the one in front and MS. GOGERT owns the property behind it. Both of the properties are duplexes. The owners of these properties have tenants, who are concerned about the traffic in this area.

COUNCILMAN BROWN asked staff if a traffic study would be done in this particular area. MARGO WHEELER, Deputy Director, Planning and Development Department, explained that the Downtown North Plan addressed all the various public facilities in that area. A trail plan was recently adopted linking the various facilities within the Cultural Corridor area. The City Manager's office is meeting with the different facilities, assisting them and listening to their various concerns. Because the Neon Museum borders a separate body, they work closely with the City. But they are moving forward with the property that they currently control.

COUNCILMAN BROWN stated that he feels the Neon Museum will be very successful, but indicated that the site will be too small in the near future. The Convention Authority is currently looking at disposing of Cashman Center. There has been dialogue with the City pertaining to this, and there is ample property in this corridor.

MS. HARRIS asserted that the primary concern is to get the museum operational as soon as possible, but the collection of neon signs is large. The need for more land is a serious consideration.

COUNCILMAN BROWN praised MS. HARRIS in relation to the project, but he mentioned that the site has constraints.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 124 - ZON-3256

MINUTES - Continued:

MR. GALLEGOS questioned why the Council hides things from the people. He asked MS. HARRIS if there were plans to put the signs on the 61-acres. MS. HARRIS answered that that was not in the plan.

COUNCILMAN MACK disagreed with MR. GALLEGOS' comments that nothing is happening in the backyard of the City of Las Vegas. He pointed out that a beautiful project will be coming forward, and the Council should support the project.

COUNCILMAN WEEKLY concurred. He also indicated that this is not a new item coming before the Council, and MR. GALLEGOS knew about the project and moved in the neighborhood when the project was being established. The Council allowed the museum to become its own entity for fund raising purposes because they had no money and nowhere to put the museum. MS. HARRIS concurred and added that the Neon Museum is a non-profit organization.

Referring to MR. REEVE, COUNCILMAN WEEKLY noted that meetings were held in the infancy of the project, which he attended, and it would have been prudent for the owners of the adjacent property to have been present. MR. REEVES rebutted that his clients live out of state.

COUNCILMAN WEEKLY further stated that he was interested in making the project positive and will not stop this project from going forward.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 124 [ZON-3256] and Item 125 [SDR-3257].

(4:25 - 4:39)

5-2772

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 124 - ZON-3256

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-3257) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.
4. A plan detailing the removal or relocation of the onsite public sewers that also maintains service to upstream connections must be accepted by the Collection Systems Planning section of the Department of Public Works prior to issuance of any permits. Any existing public sewer easements in conflict with the proposed structures shall be vacated and new easements granted prior to the issuance of any sewer-related permits for this site.
5. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
6. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3256 - PUBLIC HEARING - **SDR-3257 - THE NEON MUSEUM ON BEHALF OF THE CITY OF LAS VEGAS** - Request for a Site Development Plan Review for a proposed Museum (The Neon Museum) on 1.79 acres adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue (APN: 139-27-812-039, 040, and 043), C-2 (General Commercial) Zone and R-3 (Medium Density Residential) Zone, [PROPOSED: C-V (Civic) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 124 [ZON-3256] for all related discussion.

(4:25 - 4:39)

5-2772

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3256) to a C-V (Civic) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 125 - SDR-3257

CONDITIONS - Continued:

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
5. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. The design of the handicap parking spaces shall conform to the requirements of Title 19.10.
8. Public sidewalks shall be required abutting the property along Encanto Drive, McWilliams Drive, and Las Vegas Boulevard. An accessible connection is required between the public sidewalk at Las Vegas Boulevard and the principal entrance of the museum building.
9. The perimeter walls shall comply with the requirements of the Title 19.08.
10. The bus parking area on Encanto Drive shall be removed or shall be relocated to the museum property.
11. Light fixtures on the museum property shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

Public Works

12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
13. Site development to comply with all applicable conditions of approval for ZON-3256 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3259 - WESTERN U.S. REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF CHARLESTON TOWER, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-2 (General Commercial) on 0.51 acres adjacent to the northwest corner of 8th Street and Bridger Avenue (APN: 139-34-710-049, 050, and 051), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 126 [ZON-3259], Item 127 [SDR-3261] and Item 128 [VAC-3056].

ATTORNEY JEFF ALBREGTS, Cotkins, Collins and Ginsburg, 1701 West Charleston, appeared on behalf of the applicant and concurred with conditions. Accompanying him was ROSS CARNESALE and the architect, ROBERT MASIANA. ATTORNEY ALBREGTS indicated that the owners of the apartments next to the property, Carson Avenue Partners, contacted him. They expressed concerns regarding safety lighting, and the fact that the alley will not be a dead end, thereby creating an attractive nuisance. The alley will be going toward Bridger Street and then east toward 8th Street, so there is safety access being planned. He indicated that ALLEN BIRCH, Carson Avenue Partners, was present and that there has been dialogue between MR. KURTZ and MR. CARNESALE regarding parking issues, but he believes there is no opposition.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 125 - SDR-3257

MINUTES - Continued:

ATTORNEY ALBREGTS continued by referring to two problematic houses in the area, which have been purchased and are slated to be torn down as part of this project. He identified the property as the old Jimerson law building.

TODD FARLOW, 240 North 19th Street, indicated that another project, Hollingsworth Elementary, was designed by JMA Architects who did a great job and this project would be done well.

ALLEN BIRCH, Carson Avenue Partners, 711 East Carson, Managing Partner of The Carson Avenue Apartments. He stated that he and his partner have put time and money into the improvement of the property and believes this is a positive project. MR. BIRCH and ATTORNEY ALBREGTS concurred with all conditions.

COUNCILMAN WEEKLY appreciated the efforts of both property owners in improving the area, and wished the applicant good luck.

MAYOR GOODMAN ASKED when the project would be operational. The applicant replied that they expect to break ground in 60 days and finish the first stage of the remodel within six months.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 126 [ZON-3259], Item 127 [SDR-3261] and Item 128 [VAC-3056].

(4:39 - 4:44)

5-3490

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-3261) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 126 - ZON-3259

CONDITIONS - Continued:

Public Works

3. Dedicate a 10 foot radius on the northeast corner of 7th Street and Bridger Avenue and a 10 foot radius on the northwest corner of 8th Street and Bridger Avenue prior to the issuance of any permits, coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents. These said dedications shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located at either corner within the area being requested for dedication.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction drawings or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3259 - PUBLIC HEARING - **SDR-3261 - WESTERN U.S. REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF CHARLESTON TOWER, LIMITED LIABILITY COMPANY AND LEBARON HOTEL, INC.** - Request for a Site Development Plan Review and Waivers OF THE PERIMETER BUFFERING AND LANDSCAPING STANDARDS AND TO ALLOW AN EIGHT-FOOT FRONT YARD SETBACK WHERE A 20-FOOT SETBACK IS REQUIRED FOR AN EXISTING OFFICE BUILDING AND A PROPOSED THREE-STORY, 62,674 SQUARE-FOOT PARKING STRUCTURE WITH GROUND FLOOR COMMERCIAL on 0.90 acres adjacent to the northwest corner of 8th Street and Bridger Avenue (APN: 139-34-710-037, 049, 050, and 051), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 126 [ZON-3259] for all related discussion

(4:39 - 4:44)

5-3490

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-3259] to a C-2 (General Commercial) Zoning District approved by the City Council.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 127 - SDR-3261

CONDITIONS- Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to show the area along 7th Street within the right-of-way that can provide a clear 10-foot path for the potential Multi-use Transportation Trail that may be required in this location, to reflect loading zones of which meet the dimensional requirements of the Code and which illustrates on-site trash collection facilities, and to provide a level of detail regarding signage that is satisfactory to the Planning and Development Department.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. A fully operational fire protection system, including fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 127 - SDR-3261

CONDITIONS - Continued:

Public Works

12. The submitted Petition of Vacation VAC-3056 shall record prior to the issuance of any building permits for this site.
13. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any building permits for this site.
14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A.
15. Landscape and maintain all unimproved right-of-way on 7th Street, 8th Street and Bridger Avenue adjacent to this site.
16. Submit an Encroachment Agreement for all private improvements located in the 7th Street, 8th Street and Bridger Avenue public right-of-way adjacent to this site prior to occupancy of this site.
17. Site development to comply with all applicable conditions of approval for Petition of Vacation VAC-3056, Zoning Reclassification ZON-3259 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO ZON-3259 AND SDR-3261 - PUBLIC HEARING - VAC-3056 - WESTERN US REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF LEBARON HOTEL INC. - Petition to Vacate a twenty-foot (20') wide public alley adjacent to the north side of Bridger Avenue, between 7th Street and 8th Street, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 126 [ZON-3259] for all related discussion
(4:39 - 4:44)

5-3490

CONDITIONS:

1. Provide a plan for approval by the City Engineer indicating an alternative alley access route providing a legal through-access for this alley. Such alley access shall be dedicated, or appropriate access easements granted, prior to recordation of an Order of Vacation for this alleyway. The proposed alternative shall provide a turning radius acceptable to the Department of Fire Services.
2. A sanitary sewer relocation/abandonment plan must be submitted and approved by the Department of Public Works prior to the recordation of the Order of Vacation; alternatively appropriate public sewer easements shall be retained.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 128 - VAC-3056

CONDITIONS - Continued:

3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
5. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-3276 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: R-PD11 (Residential Planned Development - 11 Units Per Acre) on 8.32 acres between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**WEEKLY – APPROVED subject to conditions – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open for Item 129 [ZON-3276], Item 130 [SDR-3278] and Item 131 [WVR-3355].

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, was present with BOBBY LEWIS, representing the applicant, Signature Homes. The property is between Shadow Lane and Martin Luther King Boulevard, which is on the east. To the north, the property is adjacent to the Costco, and south of an existing apartment complex. This property is an infill piece of property and has been difficult to develop. Thus, it has remained vacant. The property is master-planned for 25 units to the acre and currently zoned commercial. ATTORNEY GRONAUER conveyed that the applicant has spent extensive time with the neighbors, who support the project as well as another Signature Homes project in the immediate area. The current plan is for 11 units to the acre for three-story homes. The homes will not exceed the 35 foot limitation.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 129 - ZON-3276

MINUTES - Continued:

On the first floor there is the garage area and behind the garage, there will be a bedroom and bathroom. The second floor contains the main dining room, kitchen, and bathroom and laundry area.

The third floor would have two other bedrooms with bathrooms. Although the model showed windows, they were used only to show the inside of the home. ATTORNEY GRONAUER clarified that on Item 130 [SDR 3278], Condition 4, that this be approved for three stories and not two.

WILLIAM STOJACK, 1820 West Mesquite, appeared in support of the project. He announced that he is active in the Rancho Manor Neighborhood Group and has been a resident at his current address since 1976. The neighborhood has had a great deal of concern with the infill because the land has been vacant and has had vagrancy problems. The neighbors supported the project to the west of Shadow Lane and feel that this is a very marketable project and will bring the value of the neighborhood up. He stated that in the past there have been problems with traffic on Mesquite and Shadow Lane. MR. STOJACK affirmed that Signature Homes has been working with the neighbors to install traffic mitigation devices and an identification monument at the entrance of the neighborhood area, which is located near the power substation on Shadow Lane. There are a few things to work out with the fire department for traffic mitigation devices on Tonopah and Shadow Lane.

MAYOR GOODMAN agreed that the traffic light at Shadow Lane and Charleston is poorly designed, especially heading in a southerly direction.

TODD FARLOW, 240 North 19th Street, pointed out that there is a need for housing for the medical staff in that area, and this can be done without creating traffic problems. These designs are for the homes of the future.

MAYOR GOODMAN asked the price of the homes. ATTORNEY GRONAUER replied that they would range between \$180,000 to \$200,000.

LEE HAYNES, Silver Spur Motel, stated that the State of Nevada looked at this site for a mental hospital for the "criminally insane" but could not build because of the Costco store. MAYOR GOODMAN corrected MR. HAYNES by informing him that a hospital of that sort would not be named as such, and that he had no knowledge of this piece of property being considered by the State of Nevada for such a project.

ATTORNEY GRONAUER clarified that the subject property is located 1,200 feet north of Alta Drive.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 129 - ZON-3276

MINUTES - Continued:

FRANK PERONE, 120 Shadow Lane, was present in support of the project, and spoke highly of the improvements Signature Homes is making in the neighborhood.

DANIEL DEEGAN, 1801 Granite Avenue, emphasized his support because the parcel has been difficult to develop. He cited traffic problems because many cars will be pouring onto Martin Luther King and traveling through the neighborhood to reach Rancho and the freeway. They have been trying to eliminate cut through traffic as much as possible. The neighbors wish to ask for consideration with regard to some deviations in the code to make the traffic devices work. MR. DEEGAN praised Planning and Development, Traffic Engineering and City staff, but indicated difficulties with the Fire Department Safety Inspector. There are children riding bicycles and playing catch in the streets. The traffic engineer had a plan for choke points, and the Fire Safety Inspector made the neighbors give up the choke points. The neighbors attempted a compromise by using reflective markers to provide a narrow lane. The applicant has been very cooperative, but the design is not quite as good as it could be.

COUNCILMAN WEEKLY asked ATTORNEY GRONAUER to clarify the point that MR. DEEGAN brought forth with regard to traffic. ATTORNEY GRONAUER replied that there have been issues with traffic calming devices at Shadow Lane and Tonopah. Since Signature Homes has made a significant investment in this area, they developed traffic calming devices at this intersection. Signature Homes is working with the neighbors to resolve the issue and have come up with designs that the neighbors are in agreement with, but have run into public safety issues of how these devices are designed.

COUNCILMAN WEEKLY supports the project and wants to mitigate the traffic problems with the additional residents being brought into the area. He acknowledged that there was a bad experience with the Fire Inspector. There is a problem with people cutting through from Rancho to Mesquite to get to Shadow Lane. The requirement for the width of the street is 20 feet.

ATTORNEY GRONAUER conveyed that per a condition on the last application that Signature Homes would be providing a traffic-calming device, and they have been working with RICKY BARLOW who has been instrumental in this project.

COUNCILMAN WEEKLY stated to the members of the association that the design is good for the entrance of the neighborhood. With regard to the safety issues, he wants to ensure that those are adhered to because he does respect what the inspector reported. However, there is room to make this possible.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 129 - ZON-3276

MINUTES - Continued:

ATTORNEY GRONAUER confirmed with staff that Condition 4 under Item 130 [SDR-3278] denotes three stories.

COUNCILMAN WEEKLY thanked the members of the Rancho Manor Neighborhood Group for their cooperation and MAYOR GOODMAN for sharing in the holiday festivities of the Rancho Manor Neighborhood Group. MAYOR GOODMAN responded by saying that they are great neighbors. ATTORNEY GRONAUER concurred and added that the neighbors were instrumental with this project.

COUNCILMAN WEEKLY was pleased with the model home.

MAYOR GOODMAN asked when the project would be complete. ATTORNEY GRONAUER responded that the project will be completed within two years due to the construction and permitting process. MAYOR GOODMAN requested that the process be expedited.

COUNCILMAN BROWN pointed out that COUNCILMEN WEEKLY and REESE often talk about the quality projects in Wards 2, 4 and 6, but lately there have been quality projects taking place in Wards 3 and 5. He complimented COUNCILMEN WEEKLY and REESE for the type of developments they are attracting to their wards.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed for Item 129 [ZON-3276], Item 130 [SDR-3278] and Item 131 [WVR-3355].

(4:39 - 5:04)

6-89

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 129 - ZON-3276

CONDITIONS - Continued:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-3278) and a Waiver to certain Title 18 standards (WVR-3355) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Martin L. King Boulevard adjacent to this site.
4. Construct all incomplete half-street improvements on Martin L. King Boulevard and Shadow Lane adjacent to this site concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 129 - ZON-3276

CONDITIONS - Continued:

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3276 - PUBLIC HEARING - **SDR-3278 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES** - Request for a Site Development Plan Review FOR A PROPOSED 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 8.32 acres between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units per Acre)] Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 129 [ZON-3276] for all related discussion

(4:39 - 5:04)

6-89

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-3276] to an R-PD11 (Residential Planned Development - 11 Units per Acre) Zoning District and a Waiver to certain Title 18 standards (WVR-3355) approved by the City Council.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 130 - SDR-3278

CONDITIONS - Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 1,750 square feet, minimum distance between buildings of 6 feet, and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 3 feet on the corner side, and 10 feet in the rear.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a sufficient number of minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, to meet or exceed Code requirements.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 130 - SDR 3278

CONDITIONS - Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. The applicant shall ensure that a deed restriction is placed on the subject property which prevents any direct access from the site to Martin L. King Boulevard, other than emergency access. The City shall be party to this deed restriction.

Public Works

15. Prior to the issuance of any permits, coordinate with the northerly commercial property and the Collection Systems Section of the Department of Public Works to determine if any existing sewer lines remain on this site. If necessary, a sewer relocation and abandonment plan shall be approved by the City of Las Vegas and new sewer easements granted prior to or concurrent with the recordation of a Final Map for this site.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Site development to comply with all applicable conditions of approval for ZON-3276 and all other subsequent site-related actions.
20. The approval of all Public Works related improvements shown on this Site Development

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 130 - SDR 3278

CONDITIONS - Continued:

- Plan Review is in concept only. Specific design and construction details relating to size, drainage improvements, shall be resolved prior to submittal of a type and/or alignment of improvements, including but not limited to street, sewer and Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
21. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WAIVER OF TITLE 18 RELATED TO ZON-3276 AND SDR-3278 - PUBLIC HEARING - **WVR-3355 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES** - Request for a Waiver of Title 18.12.160 TO ALLOW A 150-FOOT SEPARATION BETWEEN INTERSECTIONS, WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, and a Waiver of Title 18.12.105 TO ALLOW A 470-FOOT LONG PRIVATE STREET WHERE 200 FEET IS THE MAXIMUM LENGTH ALLOWED, between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 12/4/2003 Planning Commission meeting Item 20

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 129 [ZON-3276] for all related discussion.

(4:39 - 5:04)

6-89

CONDITIONS:

Planning and Development

1. All development shall conform to the Conditions of Approval for Rezoning (ZON-3276) and Site Development Plan Review (SDR-3278).

CITY COUNCIL MEETING OF JANUARY 7, 2004
Planning and Development Department
Item 131 - WVR-3355

CONDITIONS - Continued:

2. All City Code requirements and design standards of all City departments must be satisfied.
3. This Waiver shall only apply to Title 18.12.160.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK

**DIRECTOR: BARBARA JO (RONI)
RONEMUS**

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CONSENT

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DISCUSSION

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

DB 1933 E. Oakey Blvd, DB 704 W. Wilson Ave, DB 4404 W. Edward Ave, DB 204 W. Monroe Ave, DB 7628 Shore Haven Dr, DB 5813 Churchill St, ROC-3313, RQR-3232, RQR-3233, SUP-3315, SUP-3332, SUP-3333, SUP-3337, SUP-3338, SUP-3339, SUP-3343, SUP-3352, SUP-3405, VAC-3302, VAC-3307, VAC-3311, VAC-3318, VAC-3323, VAC-3409 and VAR-3331 – 1/21/2004 AGENDA

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

DEPARTMENT: CITY CLERK

**DIRECTOR: BARBARA JO (RONI)
RONEMUS**

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CONSENT

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DISCUSSION

SUBJECT:

ADDENDUM:

None.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2004

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

COUNCILMAN MACK proudly displayed his Trojan Helmet. The Tojans took the National Championship on 1/1/2004 over Michigan.

(5:05 - 5:06)

6-814

GENE COLLINS, 1101 Ellen Avenue, was disturbed that the development of West Las Vegas was difficult to fund because the area is not livable. There are good things going into Ward 5 and developers can get a return on their money. He stated that he lives there by choice and it is up to the citizens to change the dynamics of the area. He informed that West Las Vegas has always had the lowest crime rate. He thanked COUNCILMAN REESE for putting up decorative fencing so that people cannot hide behind them. He also thanked COUNCILMAN WEEKLY for doing the same thing because it beautifies the area. He announced that he is the newly elected National Diversity Chairman for all of gaming.

(5:06 - 5:10)

6-825

LEE HAYNES, Silver Spur Motel, addressed the subject of public employees in government positions. He agreed with COUNCILWOMAN McDONALD'S comments. Sometimes a citizen must take it upon themselves to do what government can or will not. He verified that the term for this is Vie Quo Tem, which means in the name of the king. This is provided for in the Nevada Revised Statutes. After he reviewed the tape of the November 25, 2003 meeting, he ascertained that in a certain case, the City Council's hands are tied. He reiterated that MAYOR GOODMAN stated that an Attorney General's opinion is only an opinion. He appreciated the Council addressing the issue. He announced that he has the money and the two supporting affidavits to proceed under NRS Chapter 6.130. The only body above this statute is the Grand Jury, which has unlimited subpoena authority. He concluded that there were racial charges being thrown on November 25th, 2003. He opined that WENDELL WILLIAMS did not operate in a vacuum. There are many names on the petition and the Council needs to look at it. The Council must prohibit City employees from serving in the State legislature.

(5:06 - 5:10)

6-825

City of Las Vegas

CITY COUNCIL MEETING OF January 7, 2004
Citizens Participation

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, apologized concerning Terry Galardi because she has trouble with names and faces. MS. GALARDI chaired the Downtown Redevelopment meetings and did a terrific job. The Galardis have done some good things. He opined that the way to cut crime is to have owner occupied homes and the way to do that is to create jobs. He commended the Council for putting jobs first with respect to the Galardi issue.

(5:14 - 5:15)

6-1116

AL GALLEG0, citizen of Las Vegas, apologized for losing his cool, but he is very passionate when it comes to his neighborhood. He stated that COUNCILMAN BROWN wants to study this area, and he could offer many suggestions. He supports the museum. He further stated that he heard that the museum wants to put the signs by the freeway. He observed people from the State of Nevada Museum looking at the land adjacent to the museum. He told of another time when a meeting was held pertaining to the museum and he was the only one from the City of Las Vegas and there were about 20 people from Boulder City there. He expressed a desire to be invited to any study pertaining to this area. He recounted that he went to the Mayor's meeting the night before.

(5:16 - 5:20)

6-1206

MEETING ADJOURNED AT 5:20 P.M.